



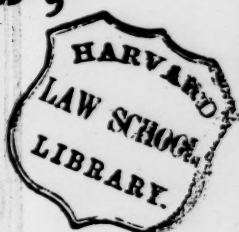


Jan 25 43

A
COLLECTION
OF ALL THE
STATUTES

Now in Use in the
Kingdom of Ireland;

WITH
NOTES in the MARGIN:
AND



A *Continuation* of the *Statutes* made in the Reign of the late
King CHARLES the First, of ever blessed Memory:

And likewise the *Acts* of *Settlement* and *Explanation*, with the rest of the
Acts made in the Reign of His Majesty that now is, CHARLES the
Second, by the Grace of God, of *England*, *Scotland*, *France* and *Ireland*, King, to
the Dissolution of the Parliament, the Seventh of *August*, 1666.

AS ALSO

A Necessary *TABLE* or *Kalendar* to the *Whole Work*,
Expressing in Titles the principal Matter therein contained, for
the Ease and Advantage of the READER.

DUBLIN,

Printed by Benjamin Tooke, Printer to the King's Most
Excellent Majesty. *An. Dom. M. DC. LXXVIII.*

Cum Gratia & Privilegio Regiæ Majestatis.

COLLECTION
OF ALL THE
STATUTES

Now in the

„bucletul de mobnă“

H. I. 172

NOT IN THE MARC 1 M.

474

A Continuation of the Statutes made in the Reign of the late King Charles the First of ever blessed Memory;

And likewise, the National and Republican, and the rest of the

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DATE 10-10-2001 BY 60322 UCBAW

DEPT. OF COMMERCE

Printed by Benjamin Tooke, Printer to the King's Most

San Carlo & Francesco Regio Mediana.

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OF THE

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2. Three months after sitting of Commissioners.
1. Irish must surrender what lands they have more than ought. 828.
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 2. Innocent papists and protestants that had decrees ibid.
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 4. Ensign-men, and if their estates not given out, then they to have it restored. ibid.

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5. Nor such as did derive titles from those that dyed guilty of any of the aforementioned Crimes, *ibid.*
6. Nor such as pleaded articles of peace for their Estates, *ibid.*
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FINIS.

Acts & Ordinances

In the Parliament of *Kilkenny*, in *Octabis Purificationis* of the Virgin Mary, in the Third Year of the Reign of King **EDWARD** the Second, *Anno Dom. 1310.*

C A P. I.

An Act to restrain Great Lords from taking of Prises, lodging, or sojourning against the will of the Owner.

Inasmuch as Merchants, and the common people of this Land, are much impoverished and oppressed by the prises of great Lords of this Land, which take what they will throughout the Countrey, without paying any thing, or agreeing with the Owners for the same; And also forasmuch as they will sojourn and lodge at their pleasure with the good people of the Countrey against their wills, to destroy and impoverish them: It is agreed and assented, That no such prises be henceforth made, without ready payment and agreement, and that none shall harbour nor sojourn at the house of any other by such malice against the consent of him which is Owner of the house to destroy his goods; and if any shall do the same, such prises and such manner of destructions shall be holden for open robbery, and the King shall have the suit thereof, if others will not, nor dare not sue. *Ir. St. 18 H. 6. cap. 3.*

Robbery for great Lords to take prises, or to sojourn against the wills of the Owners.

CHAP. II.

An Act against the keeping of idle men and Kearns in time of peace.

It is agreed also, that none shall keep idle people nor Kearns in time of peace to live upon the poor of the Countrey, but that those which will have them shall keep them at their own charges, so that their free Tenants, nor Farmers, nor other Tenants be not charged with them. And if any idle man or Kearns take any thing of any person against his will in the form aforesaid, the Wardens of the Peace, and the Sheriff of the County where such act shall be done, shall do with him as with an open Robber, as often as they shall have notice thereof, by Indictment, or by the Suit of the King or the party. *Ir. St. 11 Car. 1. cap. 16. against Colherors, &c.*

Idle persons not to be kept in time of peace at the charge of the Tenants.

C A P. III.

An Act against giving of Protections.

It is agreed also and assented, That no great Lord nor any other by duels, manacles, nor otherwise to have great ransom by such way of extortion, shall not give Protections; And that they that give or receive such manner of Protections, other than the King, as well the receiver as the giver shall be at the Kings will. Except only the Lords, which by reason of their Royal Franchises may give Protections within their Franchises. *Ir. St. 18 H. 6. cap. 2. against Comrick.*

None shall give or receive protections.

C A P. IV.

An Act against fraudulent Conveyances.

It is agreed and assented, That if any man enfeoffe another of his land, with intent to enter into rebellion, or to commit any other felony, and after the felony committed, to have again his said land; that such manner of Feoffments shall be held for none, but that presently after the felony committed, the King shall have the year

Feoffments to prevent forfeiture for felony made hold. *Irish Stat. 28 Eliz. c. 6.*

11. S. 1.
10. Cap. 1.
cap. 3.

year and the waste of the same tenements; And after the chief Lord shall have the same as his Escheat, so that the truth of the matter, and the manner of the seoffement be first enquired by writ out of the Chancery.

C A P. V.

An Act that Justices of Assize shall deliver Estreats into the Exchequer.

There shall be Justices of Assize, and Goals, deliberies, and fines, and Felons goods to be estreated in, to the Exchequer.

It is ordained and provided, That there shall be certain Justices assigned to take the Assises of Mortdauncetor, and of novel disseisin, in all the Counties of Ireland, and to deliver the Goals in the same Counties, and that they shall make Estreats of the Fines and Amerciaments, chattels of Felons, and other manner of profits which appertain to the King throughout their Offices, and such Estreats shall deliver into the Exchequer twice every year, that is to say, at Easter Term and Michaelmas Term. Eng. St. 42. E. 3. cap. 9. 7 H. 4. cap. 3.

Statutes and Ordinances Enacted in a Parliament holden at *Dublin* the Friday next after the Feast of *All Saints*, before the right Noble and right Gracious Lord, Sir *John Sutton* Knight, Lieutenant of our Sovereign Lord King *HENRY* the sixth in *Ireland*, in the Seventh Year of his Reign, & An. Dom. 1429.

An Act for the additions of Jurors.

Additions to be made to Jurors upon all Inquests.

It is agreed and assented, That in Inquests to be taken between the King and the party, and Lords of Franchises and the party, or between party and party, in the Courts of the King, or of any Lord of Franchise, that additions of their Estate, or of their Mystery, or of their places, be put in the pannels of the said Inquests: And if the Sheriffs or other Ministers which have return of Writs or Warrants do the contrary, they shall be Amerced, and their Amerciaments shall be assessed and asserred by the discretion of the Judges, before whom the said Writs and Warrants are returned. Eng. St. 27 Eliz. cap. 7.

Statutes and Ordinances made and established in a Parliament holden at *Dublin*, the Friday in the Feast of *St. Dunstone* in the Eighteenth year of the Reign of King *HENRY* the sixth, before the most Reverend Father in God, *Richard* Archbishop of *Dublin*, Lord Justice of *Ireland*, Anno Dom. 1440.

C A P. I.

An Act against the extortion of Purveyors and Harbengers.

Rotul. Parliament. Cap. 5.

Present payment to be made by Purveyors.

FOR that the said Land of *Ireland* is greatly weakened and impoverished by misgovernance, extortions, and oppressions by the Purveyors and Harbengers, and Abeners: That from henceforth no Purveyor, Harbenger, nor Abener be within the said Land, but that the Justice of the said Land of *Ireland* that now is, and the Lieutenants, Justices, or Governors that for the time shall be, shall pay or agree with them from whom any goods shall be taken by their Achators. And if the said Lieutenants, Justices, or Governors by their Achators do not in the Order aforesaid, it shall be lawful to him whose the goods are, to make resistance to such Achators or Officers, without offence or impeachment of our Sovereign Lord the King. It is agreed and established, That all the Statutes in this behalf made within the Realm of *England*, be holden and kept in all points, and put in the

Execution in this Land. Eng. St. 28 Ed. 1. 2. 4 Ed. 3. 4. 5 Ed. 3. 2. 10. Ed. 3. 2.
2 H. 4. cap. 14. 20 H. 6. 8.

C A P. III.

An Act that such as put themselves into Comrick, or that do take any to Comrick, shall be Traytors, and the Comrick Treason. Rot. Parl. cap. 9.

FOR that divers of the English do maintain and succour sundry Thieves, Robbers, and Rebels, because that the same Thieves, Robbers, and Rebels do put them into their safeguard and Comrick, so that the Kings faithful Subjects dare not pursue their right against such Thieves, Robbers, and Rebels, for fear of them which have taken them into their safeguard and Comrick; it is ordained and established: That from henceforward such as do put themselves, and such as do grant such safeguard and Comrick, be adjudged Traytors, and such safeguard and Comrick shall from henceforward be adjudged Treason, unless it be granted by him or by them that shall have authority by virtue of their Office, or by special authority from the King upon pain of life, and member. Ir. St. 3 Ed. 2. cap. 3.

Comrick or
safeguard of
Robbers,
treason.

C A P. IIII.

An Act that no Lord nor other shall charge the King's Subjects with Horses, Horsemen or Footmen, without their good wills; the Offender a Traytor. Rot. Parl. cap. 10.

IT is agreed and established, That no Lord nor any other, of what condition soever he be, shall bring or lead from henceforth Hobloers, Kearns, or Hooded men, neither English Rebels, nor Irish Enemies, nor any other People, nor Horses, to ly on Horseback or on foot upon the Kings Subjects, without their good wills and consents, but upon their own Costs, and without hurt doing to the Commons of the County. And if any so do, he shall be adjudged as Traytor. Ir. St. 3 Ed. 2. cap. 1.

Treason to
charge the
Kings sub-
jects with
horse or
foot.

C A P. IV.

An Act that no Protection (*Quia profecturus*) shall be granted before that the party make Oath the Cause containeth truth, &c.

Rot. Parl. cap. 11.

FOR that, that divers Protections with the Clause (*Volumus*) *Quia profecturus est ad partes Angliae*, or elsewhere, be granted to divers persons where they are not retained with the King to go into England nor elsewhere, but do delay the Kings Liege-people from their Actions, and to abide at their Houses: It is agreed and assented, That from henceforward no such Protection shall be Sealed under the Great Seal of Ireland, before that the Party make Oath in the Chancery, that the Cause within the Protection comprised containeth truth: And farther, That if any such Protection be put forth against any person before whatsoever Judge it be, that the Plaintiff may have such averment to say, That the Defendant after the Date of the said Protection by the space of Six Weeks, had time to go in the Kings Service, and was not letted by wind nor other reasonable matter, and if that be found, that then such Protection be holden for none. And if any such Protection be allowed within the Six Weeks, and the Party for whom the Protection is allowed goeth not, and hath wind and shipping reasonable, and is in no manner reasonably letted: that the party after the Six Weeks against whom such Protection is allowed, shall have forthwith after the Six Weeks passed, a Writ or Bill of Deceit against him for whom the Protection is allowed in any of the Kings Courts, and a Bill or Plaint of Deceit in any Court of Franchise, and that the party shall recover in such Writ, Bill, or Plaint, double Damages for the delay, and that no Protection shall be allowed in such Writ, Bill, or Plaint.

Oath to be
made of the
truth of the
protection,
Quia pro-
fecturus.

Averment.

A bill of De-
ceit lies, if
the party
protected
go not with-
in 6 weeks.

Double da-
mage.

Statutes and Ordinances made and established in a Parliament holden at Trymme, the Friday next after the Feast of Epiphany, in the Five and twentieth Year of the Raighn of King HENRY the Sixth, before John Earl of Shrewesbury, the King's Lieutenant of Ireland, Anno Dom. 1447.

C A P. I.

An Act that the Kings Officers may travel by Sea from one place to another, within the Land of Ireland. Rot. Parl. cap. 7.

No forfeiture of Offices to goe by the Sea-coast from one place in Ireland to another.

If they be taken prisoners, their Offices shall be restored at their return.

Vhere it was in doubt, and in diversity of opinions, that if any Ministers or Officers of the King, did pass by the Coasts of the Sea from the parts of Dyvelin, Drogheda, Molagh-hide or Dalkey, or elsewhere in those parts, to Weyford, Waterford, Cork, and to other places by the whole Sea-coast within the said Land of Ireland, that their Offices were void as if they had passed into England, or into other Lands, out of the said Land of Ireland: Wherefore it is ordained and agreed by Authority of this present Parliament, That every the Kings Officer and Minister, may at their pleasure pass out of every County and place within the said Land of Ireland by Sea in Ships or Boats, to whatsoever parts or places within the said Land of Ireland, and there abide about their business, and from thence to return by Sea to other Counties and places within the said Land of Ireland, so oft as shall please them, without loss, disturbance, or seising of their Offices in any manner, and without that, that their Offices shall be void for the said Causes. And if it fortune that any of the said Officers or Ministers be taken by Sea, that at their return they may have, occupy, and enjoy their Offices without any Suit to be made therefore. Ir. St. 7 E. 4. cap. 1.

C A P. II.

An Act that the Kings Subjects or Officers in Ireland, may be absent by the Commandment of the King, or the Governour, or of the Council, without seisure of their Lands, Rents, Benefices, or Offices, &c. Rot. Parliament. cap. 16.

Absentees by commandment of the King, do not forfeit their Lands or Offices. Irish. St. 25 H. 6. cap. 9.

Also it is ordained and agreed, That if any the Kings Liegeman or Officer of his Land of Ireland, be out of the said Land of Ireland, by the commandment of the King or his Heirs, Lieutenants, their Deputies, Justices, or the Kings Council in Ireland, That all their Lands, Tenements, Rents, Benefices, or Offices, or other Possessions whatsoever, by their said absency shall not be seised nor taken into the Kings hands, or his Heirs, nor their Offices void. And if it so fortune, that any of the said Officers be taken by Pyrates, or any other ill Doers or Enemies, that they at their return may occupy their said Offices, notwithstanding any Grant or Gift of the said Offices made to any other person in their absence. And if any Seisin or Gift be made to the contrary, the same shall be void and holden for none.

C A P. III.

An Act that none shall take Custome but within Cities, Burroughs, or Merchant Towns, where there is authority to take Customs. Rot. Parliament. cap. 17.

Twenty Billings for every penny taken for Customs, unless in

Also at the request of the Commons, for that, that many people of this Land of Ireland, do take and levy sundry Customs of Merchants passing and going with their Merchandise through the Kings High-way, against right and reason: It is ordained and agreed by the Authority of this present Parliament, That no man be so hardy

hardy henceforward to take or levy, or cause to be taken or levied, any such Custom of Merchants, or of other people in the Kings High-way or elsewhere, but within Cities, Burroughs, or other Merchant-Towns where the said Merchandises be bought or sold, or brought to be sold there, as they have Power and sufficient Authority to take and levy such Customs. And if any do the contrary, and thereof be attainted, he shall be constrained and compelled by Authority of this same Parliament, to pay for every penny so taken or levied, Twenty shillings, whereof the King shall have the Two parts, and he from whom the said Custom shall be so taken, shall have the Third part.

C A P. IV.

An Act that he that will be taken for an Englishman, shall not use a Beard upon his upper Lip alone, the Offender shall be taken as an Irish

Enemy. *Rot. Parl. cap. 20.*

FOR that, that now there is no diversity in array betwixt the English Marchours, and the Irish Enemies, and so by colour of the English Marchours, the Irish Enemies do come from day to day, to other into the English Counties as English Marchours, and do Rob and pill by the High-Ways, and destroy the Common People by lodging upon them in the Nights, and also do kill the Husbands in the Nights, and do take their Goods to the Irish men: Wherefore it is ordained & agreed, That no maner Man that will be taken for an Englishman, shall have no Beard above his Mouth, that is to say, that he have no hairs upon his upper Lip, so that the said Lip be once at least shaven every Fortnight, or of equal growth with the neather Lip. And if any man be found amongst the English contrary herunto, that then it shall be lawful to every man to take them and their Goods as Irish Enemies, and to ransom them as Irish Enemies. Rep. 11. Car. 1. cap. 6.

C A P. V.

An Act that if any Irish Enemy received to the Kings allegiance, shall be found after to rob, spoil and destroy the Liege-people, it shall be lawful to every Liege-man to do with him and his Goods, as to a man that never was become Liege. *Rot. Parl. cap. 21.*

ALso for that, that diverse Irish Enemies be many times received by Lieutenants and Justices of this Land to become Liege-men, and thereto are sworne to be Loyal Lieges during their Lives, and after, many times they do not perimplish the same; but do rob, burn and destroy the Kings Liege-people, and the same Liege-people for fear to be impeached, dare not kill nor imprison the said Enemies, nor take their Goods nor Chattels, whereby the said Liege-people do take great hurt and hinderance: It is ordained and established, That if any such Irish Enemies so received to the Legeance of our Sovereign Lord, be found with any such offence aforesaid, that it shall be lawful to every Liege-man that may meet with them after the said offence so made, to do with the said Irishmen so received to the Legeance aforesaid, and to their Goods and Chattels, as to a man that never was become Liege without any impeachment of the Law, notwithstanding any Statute, and to ransom them at their Free-will without any impeachment. Rep. 11. Car. 1. cap. 6.

C A P. VI.

An Act against clipped money, money called O Reyles money, and other unlawful money, and against gilt Bridles, Peytrells, and other gilt Harnefs. *Rot. Parl. cap. 22.*

FOR that, that the clipping of the King our Sovereign Lords coyn hath caused divers men in this land of Ireland to counterfeit the same Coin, to the great hurt and destruction of the said Land, and the making of Gilt Bridles and Peytrells hath also wasted and consumed the Gold of the said Land for the more part, and is like to do more hereafter: if it be not speedily remedied: Wherefore it is ordained and agreed by Authority of this present Parliament, That no money so clipped be received in any place of the said Land, from the First day of May next to come, nor the Money called O Reyles Money, or any other unlawful Money, so that one Coyner be ready at the said day to make the Coyn. And also that no man be so hardy henceforward to use any Gilt Bridles Peytrells, nor any other Gilt Harneys in no place of the said Land: excepted Knights and Prelates of Holy Churches. And if any man be found with any such Bridle, Peytrell, or other Harneys Gilted from the same day, that it be lawful to every man that will, to take the said man, his Horse and Harneys, and to possess the same as his own goods. Rep. 11. Car. 1.

Ir. St. 3 E. 4. cap. 3.

CAP. VII.

An Act that the Sons of Labourers and Travailleurs of the Ground, as Plowmen and such other, shall use the same Labours and Travails that their Fathers and Parents have done.

Rot. Parl. cap. 25.

That the
sons of La-
bourers
shall be La-
bourers al-
so.

ALso for that that the Commons are much grieved with this, That the Sons of Husbandmen and Labourers, which in old time were wont to be Labourers and Crabaylers upon the ground as to hold Ploughs, to ere the Ground, and travail with all other Instruments belonging to Husbandry to manure the Ground, and do all other Works lawful and honest, according to their state: And now they will be Kearnes, Evil-doers, Wasters, Idle-men, and Destructioners of the King our Sovereign Lords Liege-people, to the great decay of the said Commons, and impoverishment of their state: Wherefore it is ordained and agreed by Authority of this present Parliament, to withstand such ill Governance of the said persons, and to put them in better rule, and for the common profit of all the Liege-people of the said Land of Ireland, That the said persons from henceforward to comfort the said Liege-people in their Husbandry, and in all other Works lawful and profitable, shall be Labourers and Crabaylers upon the Ground, as they were in old time, and in all other Works and labours lawful and honest according to their state. And if it fortune that any such Son of Husbandman or of Labourer, in time to come do the contrary of this that is ordained and established by this present Parliament, and thereof be lawfully convicted before any Judge of the King, or Judge of Franchise, that he shall have the imprisonment of One year, and over that, he shall make Fine to the King, or to the Lord of the Franchise, according to the discretion of the Judge before whom he is convicted.

CAP. VIII.

An Act that no Lord of Parliament shall be amerced in Pleees real or personal, otherwise than another person. *Rot. Parl. cap. 29.*

The amer-
ciaments on
Lords of
Parliament
to be the
same as on
other per-
sons.
Eng. St. 9 H.
3. cap. 14.
3 Ed. 1. cap.
5.

FOR that, that a Law is established, That every Lord that is called Lord of Parliament, in all Pleees as well Personal as Real, in the which Amerciaments do lye, that he that is called Lord, shall be amerced in One hundred Shillings, to the great impoverishment of the said Lords, forasmuch as their Livings are diminished and wasted by War: It is ordained and established by Authority of this present Parliament, That no Lord of Parliament shall be amerced from henceforward in the said Pleees, otherwise than another person, Notwithstanding any Law thereof made before to the contrary.

CAP. IX.

An Act concerning Absentees. *Rot. Parl. cap. 16.*

Absentees
by com-
mandment
forfeit no-
thing.
15. St. 25 H.
6. cap. 2.

It is ordained and accorded, That if any Liege-man or Officer of our Lord the King of his Land of Ireland, be out of his said Land of Ireland by the commandment of our said Lord the King or his Heirs, or of the Lieutenants, their Deputies, Justices, or the Council of the King in Ireland, That their Lands, Tenements, Rents, Benefices, or Offices, or other Possessions whatsoever by their said absence, shall not be seised nor taken into the hands of our Lord the King, or his Heirs, nor their Offices shall not be void. And if it so happen, that any of the said Officers be taken by Pyrates, or any other Malefactors, that they at their return may occupy their said Offices, notwithstanding any Grant or Gift made to any other person in their absence. And if any Seisure or Gift

Gift be made to the contrary, the same shall be void and of none effect.

C A P. X.

An Act restraining the Transportation of Bullion. *Rot. Parl. cap. 12.*

Vhereas this Land of Ireland is greatly impoverish'd from day to day, by the great deduction and carriage out of the said Land into England of the Silver Plate, Broken Silver, Bullion, and Wedges of Silver made of the great Confure of the Money of our Sovereign Lord the King, by his Irish Enemies, and English Rebels, within his said Land, whereby his said Coin is diminished and greatly impaired, and Irish Money called Relves do increase from day to day, unto the great hurt and impoverishment of his said people of this his said Land, and diminution of his Coin: The premises therefore considered, It is ordained, established, and provided by Authority of the said Parliament, That of every ounce of Broken Silver, Bullion, and Wedges of Silver, taken by any person or persons out of the said Land, the said person or persons shall pay, satisfy, and content to the King, Twelve pence for custom of every Ounce, to be received by the hands of his Customs for the time being, Except Lords and Messengers going into England about the business of the Land, that they may take Plate with them according to their Beings and Estates.

Twelve pence per ounce for Bullion transported, unless by Lords according to their Estates.
1r. St. 35 H. 6. cap. 1.

Statutes and Ordinances made and established in a certain Great Council holden at *Dublin*, the Friday next before the Feast of Saint *Luke* the Evangelist, in the Twenty eighth year of the Reign of King *HENRY* the Sixth, before *Richard* Duke of *York* the Kings Lieutenant of *Ireland*. Anno Dom: 1450.

C A P. I.

An Act that no Marchour, nor other man, shall keep more Horsemen or Footmen, than they shall answer for, and maintain upon their own charges and their Tenants, and for presenting the names of their men, and that none shall take Coynee, Cuddies, or Night-suppers, nor shall take no pledges of them; the Offenders shall be Felons, &c.

Rot. Parl. cap. 4.

AT the request of the Commons, that where the Marchours of the County of *Dyvelyn*, and other Marchours of sundry Countries, and other men within the Land of *Ireland*, do keep Horsemen and Footmen; as well Irish as English, more then they can maintain upon their own costs, or upon their own Tenants, and from day to other do coynee them upon the Poor Husbands and Tenants of the said Land of *Ireland*, and oppress and destroy them, and namely in time of Harvest upon their Cornes and Meadows with their Horses both day and night, and do pay nothing therefore, but many times do rob, spoyle, and kill the said Tenants and Husbands, as well by night as by day, and the Captains of the same Marchours, their wives and their pages, certain times of the year do gather and bring with them the Kings Irish enemies both men and women, and English Rebels, with their Horsemen and Footmen, as well in time of War as of Peace, to night suppers called Cuddies, upon the said Tenants and Husbands, and they that are the chief Captains of the said Marchours, do lead and lodge them upon one Husband one hundred men, Horsemen and Footmen some Night, and upon one other Tenant or Husband, so many one other Night, and so every Captain and their Wives, Pages, and their Sons, as well as themselves, and every of them do lead and bring with them so many of the said Irish enemies and English Rebels, with their Horsemen and Footmen upon the said Husbands and Tenants, and so they espy the secrecie of the said land: and after that every of the said Marchours and their Wives, Pages and Sons, have overgone the said Husbands and Tenants of the said Marches in the form aforesaid, then they go to the Captains aforesaid, and there the Thieves of the said

Mar-

Ir. St. 10 H.
7. cap. 6. &
cap. 10.

Ir. St. 10 H.
7. cap. 18.

Marcheours do knit and confeder together. And that that the ſaid Marcheours Thieves do ſteal in the Engliſh Countrey, they do put out to them in the March, and in time of War the men of the ſaid Marcheours, as well Horſemen as Footmen, do guide the ſaid Iriſh enemies and their Thieves into the Engliſh Countrey, and what Tenant or Huſband will not be at their truce, they do burn, they do rob, ſpoil, and kill, and for the more part, the ſaid Land is waſted and deſtroyed. And if ſuch rule be holden, not puniſhed, it is like to be the utter deſtruction and undoing of the ſaid Land. Wherefore the premiſſes conſidered, it is ordained and agreed by the Authority of the ſaid Council, That no Marcheour nor other man of the ſaid Counties, ſhall keep more men, Horſemen, or Footmen, but that they ſhall answer for them, and ſhall maintain them upon their own coſts, or their own Tenants. And what men that they do keep, Horſemen or Footmen, the Marcheours of the County of Dyvelyn ſhall preſent their names to the Sheriff, or to the Juſtices of Peace of the ſaid County, and they to preſent them to the Mayor and Bayliſſs of the City of Dyvelyn, and in like caſe, all Marcheours and other men of every County within Ireland, to the Sheriffs or Juſtices of Peace of the Counties, and they to preſent them to the Mayor and Bayliſſs of the ſaid Cities within the ſaid Counties, Sovereigns or Provoſts of the beſt Burrough-Towns within the ſaid Counties. And that the ſaid Marcheours, nor no other man, ſhall any more uſe any ſuch Coynees, Suppers, Cuddies, nor ſhall take no Pledges for them, nor none of their Thieves or men ſhall guide none of the Kings Iriſh Enemies in the Form aforeſaid. And what Marcheours or other men do contrary to the Ordinances aforeſaid, that they ſhall be judged as Felons. And that the Mayors, Baylyſſs, Sovereigns, and Provoſts of the Counties aforeſaid for the time being, or any other of the Kings Liege-men, ſhall have the Kings Letters Patents under his Great Seal out of his Chancery of Ireland, made to them in due form, without Fine or Fee paying for the ſaid Letters Patents, or Great Seal, that where they may find any ſuch Theeves, burning, robing, ſtealing, killing, coyning, or taking pledges, as it is aforeſaid, to take them, and their goods to be forfeited as goods of Felons, and the half of the ſaid goods to go to the King, and the other half to them that do take them. And that no eſcape ſhall be levied of the Commons of the ſaid Counties if any of the ſaid Felons be killed for the cauſes aforeſaid, nor they nor any of them ſhall be vexed nor grieved by our Sovereign Lord the King, nor his Juſtices, Officers, nor Miniſters, notwithstanding any Statutes or Ordinances thereof made to the contrary before this time. Rep. 11. Car. 1. cap. 6.

C A P. II.

An Act that upon accuſations made, the accuſer ſhall find ſufficient ſurety for the damages of the party accuſed, if it ſhall be adjudged againſt the accuſer, and for remittal of the accuſation to the ordinary Judge, as the nature of the cauſe ſhall require. Rot. Parl. cap. 6.

The accuſer on arreſt, ſhall find ſureties to answer the damages. Ir. St. 32 H. 6. c. 3.

Faſſe imprisonment if the accuſation be not true.

FOR that, that before this time divers of our Sovereign Lord the Kings Liege-people, by falſe Suggeſſions and Accuſations made to the Governour of this Land for the time being, and to other Officers, as well within franchise as without, and they be many times arreſted to the intent, that they muſt make fines after the deſire of the ſaid Governour, or the ſaid Officers for the time being, to the great hurt of the ſaid Liege-people: Wherefore it is ordained by Authority of the ſaid Council, That if any ſuch Accuſations be made, that he that maketh the Accuſation, ſhall find ſufficient ſurety for the damages of him that is accuſed, if it ſhall be adjudged that the Suggeſſion or the Accuſation be not true, and alſo that he that is ſo arreſted, may go by ſurety or by Bail as Law will, till the matter ſhall be determined. And if it be a matter touching Treason, Felony, or Treſpaſs, to be remitted to our Sovereign Lord the Kings Bench: and if it be a matter of conſcience, to be remitted to the Chancery: and if it be a matter within franchise, to be remitted to the Senefchal of the Liberty: and if it be for debt, to the Kings Common-place. And that the party that is grieved may have Suit by Writ or Bill of falſe imprisonment againſt him that maketh Suggeſſion or Accuſation, if the Suggeſſion or Accuſation be not true. Saving the Kings Prerogative.

C A P.

C A P. III.

An Act that it ſhall be lawful to every Liege-man to kill or take notorious Thieves, and Thieves found robbing, ſpoiling or breaking Houſes, or taken with the manner. *Rot. Parl. cap. 8.*

Vhereas the Thieves and Evil-doers, increaſe in great ſtore, & from day to other do increaſe in malice more than they have done heretofore, and do deſtroy the Commons with their thefts, ſtealings, and man-ſlaughters, and alſo do cauſe the Land to fall into decay and poverty, and waſte every day more and more, and ſo it is like to be confounded, if there ſhould not be remedy: It is ordained by Authority of the ſaid Council, That it ſhall be lawful to every Liege-man of our Sovereign Lord the King, all manner notorious and known Thieves, and Thieves found robbing, and ſpoiling, or breaking Houſes by night or by day, and Thieves found with the manner, to kill them, and to take them without impeachment, arraignment or grievance to him to be done by our Sovereign Lord the King, his Juſtices, Officers, or any of his Miniſters for any ſuch man-ſlaughter or taking. And that every man that kills or takes any ſuch Thieves, ſhall have one penny of every Plough, and one farthing of every Cottage within the Barony where the man-ſlaughter is done, for every Chief. And that the Town where the ſaid man-ſlaughter is done, and other four Towns next to the ſaid Town, which were before charged with the eſcapes for ſuch man-ſlaughter, ſhall be quit and diſcharged of the ſaid Eſcapes, and every of them, without any Impeachment in any Court, or payment to any Officer. And that the Sheriff of the County ſhall have ſufficient power to make levy of the Money aforeſaid in the ſaid form, within one moneth after the ſaid man-ſlaughter, and ſhall deliver it to him that made the ſaid homicide. And if the Sheriff be negligent in levying the ſaid Money in the form aforeſaid, that he ſhall pay the ſum of Money to the party that hath cauſe to have it.

Thieves taken in the manor may be killed. *Ir. St. 5 E. 4. cap. 2.*

The reward to him that takes or kills the thieves.

C A P. IV.

An Act that the Chancellor, Juſtices or Barons, or their Miniſters, ſhall make forth no Writs of Privilege, but only for the Miniſters or Servants continually attendant upon them. *Rot. Parl. cap. 9.*

Alſo where divers in divers Courts are impleaded, as well within Liberties as elſewhere, many times the Chancellor of our Sovereign Lord the King, or his Deputy or Keeper of the Kings great Seal of his Land of Ireland, the Kings Juſtices of his Chief-place, the Juſtices of his Common-place, and the Barons of the Kings Exchequer of his ſaid Land, and their Miniſters, do make Writs of Privilege out of their places, directed to Officers of Liberties, or elſewhere, where the ſaid people are impleaded, and do command them to ſurcease from their ſaid Pleas, where the ſaid people are not Miniſter, Peoman, nor Servant continually dwelling with the ſaid Chancellor, Juſtices, nor Barons, nor with any of them, to the great damage of the Lords of the ſaid Courts, and the Parties Plaintiffs, which purſue in them: It is ordained by Authority of the ſaid Council, That from henceforth the ſaid Chancellor, Juſtices, and Barons, and their Miniſters that now are, or for the time ſhall be, ſhall not put forth from their ſaid Places, any ſuch Writs of Privilege in the form aforeſaid, but only for the Miniſters, Servants, or Peomen continually abiding with them. And that he that purſueth ſuch Writ of Privilege, ſhall pay to the King one hundred ſhillings, and to the party grieved one hundred ſhillings, by Bill or by Writ grounded upon the Ordinances aforeſaid, ſo that he be not Miniſter, Servant,

That the Chancellor, Judges, and Officers ſhall give privilege onely to ſuch as continually attend them. *Ir. St. 38 H. 6.*

or Peoman continually abiding, as afore is said. And further, that the said Chancellor and Justices that now are, or for the time shall be, shall suffer no man to pursue Writs or Bill out of their said Places, calling them their Ministers, Servants, or Peomen, or any of them, if he be not Minister, Servant, or Peoman continually abiding with the said Chancellor or Justices, or any of them. And if it be otherwise done, the King shall have one hundred shillings, & the party grieved one other hundred shillings against him that sueth such Bill, or Writ by Bill, or Writ grounded upon the Ordinances afore said.

Statutes and Ordinances made and established in a Parliament holden at Drogheda, the Friday next before the Feast of St. Mark the Evangelist, in the Twenty eighth year of the Reign of King HENRY the Sixth, before Richard Duke of York, the Kings Lieutenant of his Land of Ireland.

C A P. I.

An Act that no Remembrancer nor his Deputy, shall cause any Process to be made against any that hath discharge of Record in the Exchequer. *Rot. Parl. c. 7.*

At the Remembrancer issues process against one that has a discharge, forfeiture of his office, & treble damages.

FOR that, that before this time, the Remembrancers of the Kings Exchequer in Ireland, have used to write Writs to impeach people in the said Exchequer, where they have sufficient Discharge of Record in the Remembrancy, or in other place in the said Exchequer, and so put them to make a search in the said Exchequer, to the great damages of the Kings Liege-people: It is ordained and agreed by Authority of the said Parliament, That no Remembrancer nor his Deputy shall cause to be written any Writ, against any man that hath sufficient Discharge of Record in the Remembrancy, or in other place in the said Exchequer, of that whereof he shall be impeached. And if the Remembrancer or his Deputy do the contrary thereof, that they shall lose their Office. And that the party so impeached, shall have his Damages against them to treble *Eng. St. 1 R. 2. c. 5. 37 E. 3. 4.*

C A P. II.

An Act that no Commission shall be made out of the Chancery, to enquire, hear and determine or to enquire, hear and certify in the Counties of Dublin, Kyldare, Mieth, and Uriell, of treasons, felonies, or goods of felons, and men outlawed, and other offences, but that the Chancellor or Treasurer, or Justices of thone Bench or thother, or Barons of the Exchequer, the Kings Serjeant or Attorney, or one of them shall be in the Commission and of the Quorum, and present at time of such Inquisition taken. *Rot. Parl. cap. 8.*

Who must be included in the Commission and of the Quorum, to enquire of felonies, &c.

IT is ordained and agreed, That no Commission shall be made henceforth out of our Sovereign Lord the Kings Chancery of Ireland, to any to enquire, hear, and determine; or to enquire, hear, and certify in the Counties of Dublin, Kyldare, Mieth, and Uriell, of Treasons, Felonies, or Goods of Felons, and men outlawed, Trespasses, Contempts, and all other Eccelles and Offences, but that the Chancellor, or Treasurer, or Justices of the one Bench, or of the other, or Barons of the Exchequer, the Kings Serjeant or Attorney, or one of them shall be with such Commissioners put into the Commission and in the Quorum, and present at time of such Inquisitions taken. Saving the Commissions made, or to be made to Justices or Keepers of the Peace after the old custom. And if any such Commission be made to the contrary, that it shall be void and holden for none, and all the things contained within the Inquisitions so taken by Authority of the said Parliament.

CAP. III.

An Act that none shall sell Wine, Ale, nor any other liquor within any City or Town franchised, but with the Kings measures sealed, that is to say, the Gallon, the Pottle, the Quart, the Pint, or the Half-pint. *Rot. Parl. cap. 11.*

FOR that, that where our Sovereign Lord the King, and his Noble Progenitors, have ordained and established certain Measures sealed for Wine, Ale, and other Liquors, within this his Land of Ireland, that is to say, the Gallon, the Pottle, the Quart, the Pint, and the Half-pint, and now divers people do sell Wine and other Liquors, by new Measures not sealed nor agreeing to the Measures of the King, to the great hurt, disceipt and damage of the Common-people: Wherefore the premises considered, it is ordained by Authority of the said Parliament, That from henceforward no man shall sell Wine, Ale, nor any other Liquor, within any City or Town franchised, unless it be with the Kings Measures sealed, that is to say, the Gallon, the Pottle, the Quart, the Pint, or the Half-pint, and whosoever doth the contrary, that he shall forfeit the Measures, and shall make fine of Forty Shillings: Saving the grace of the Officers of the said Franchise, the half to the King, and the other half to the City, Burrough, or Town where the offence is made, that they do sell with such Measures not sealed, and that all such new Measures be dampned.

Liquors to be sold by measures sealed.

Eng. St. 9 H.
3. cap. 25.
Eng. St. 14
Ed. 3. ca. 12.
Eng. St. 8 H.
6. 5.
Ir. St. 10 &
11 Car. 1.
cap. 5.

Statutes and Ordinances made and established in a Parliament holden before *Edward Fitz. Ewstace*, Knight, Deputy to *Richard Duke of York*, the Kings Lieutenant of his Land of Ireland, in the Two and thirtieth year of the Reign of King HENRY the Sixth. Anno Dom. 1454.

CAP. I.

An Act that all Statutes made against Provisours, as well in England as in Ireland, shall be had and kept in force. *Rot. Parl. cap. 9.*

AT the request of the Commons, That where diverse Statutes and Ordinances, as well within the Realm of England, as within this Land of Ireland, have been made against all them that sue Provisions to the Court of Rome, as by the Statutes and Ordinances thereof made, as well in England as in Ireland, more plainly appeareth. This notwithstanding, Provisions are sued from day to other, more now than before this time: Wherefore the premises considered, it is ordained and established by Authority of the said Parliament, That from henceforward all the Acts, Ordinances, and Statutes, made against the Provisours as well in England as in Ireland, be had and kept in force, within this Land of Ireland. And also if any Provisour or Provisours do henceforward sue any Provision upon any man beneficed within this Land of Ireland, and by cause of the Provision do enter into any Benefice or Benefices of the Church, and do take any Goods or Chattels from any Beneficer of the Church against whom any such Provisions are sued: that then the party grieved may recover treble damages, and he that taketh such Goods, and thereof is convicted, shall pay Twenty pounds, the half to the King, and half to him that will sue.

Statutes in England against Provisours made of force in Ireland.
Ir. St. 7. E. 4.
cap. 23. 4.
Ir. St. 10 H.
7. cap. 5.
Eng. St. 25
E. 3. c. 22.
Eng. Stat. of
Provisours
of Benefices
25 E. 3.
pag. 129.
Eng. St. 13
R. 2. cap. 2.
16 R. 2. c. 5.
2 H. 4. cap. 3.
7 H. 4. ca. 8.
3 H. 5. c. 4.

C A P. II.

An Act for discharge of the Jurors in Inquisitions upon sight of the bodies before Coroners, being at two several days sworn, that they do not know the Felon. *Rot. Parliament. cap. 10.*

Inquisiti-
ons by Co-
roners su-
per visum
corporis.

Also at the request of the Commons, that where Inquisitions are taken before the Coroners, upon the sight of the Bodies of the dead men feloniously killed in the Night, and many times in solitary places in the day, that the people have no knowledge of the Felons, the people being sworn in the said Inquisition, they say upon their Oaths that they do not know the Felon. Notwithstanding the Coroners will take no such verdict of them, but do ver them from day to other, and from place to place, many times a whole Quarter of a Year, to the intent to charge the people with the Escapes, and so compel them to say a false verdict, to the great hurt of the people so sworn: Wherefore it is ordained by Authority of the said Parliament, That if by their Oath they say that they do not know the Felon, that the Coroners shall give them another reasonable day; and if they say at the second day the same verdict, that then the said Coroners shall discharge the said people. And if they will not, that it shall be lawful for them to depart, and to go to their Houses without any Impeachment of the King, or any of his Officers or Ministers. And that done, that the Justices nor none of them shall put any *habeas corpora* for the same Juries, nor any special *Venire* for the same matter.

C A P. III.

An Act that the matter of every Appeal shall be declared before the Governour and Council; and if the matter do not touch the Kings Person, then the Appeal shall be sent to the Kings Bench to be determined as Law will. *Rot. Parliament. cap. 11.*

Where Ap-
peals shall
be brought.

Eng. St. 1 H.
4. cap. 14.

Ir. St. 28 H.
6. cap. 2.

At the request of the Commons, that where before this time many Appeals have been sued against many men of good fame and good name, as well of matters touching the Kings Person, as of other Treasons by them that have been open Evil-doers, more for ill will, than for truth of the matters, whereby great Willany hath grown to this Land undeserved: Wherefore the premises considered, it is ordained by Authority of the said Parliament, That from henceforward, if any man do appeal in hope to be sent into England, that the matter of the Appeal shall be declared before the Governour of this Land, and the Kings Council. And if the matter of the Appeal doth not touch the Kings Person, that then the said Governour shall send the said Appeal to the Kings Bench, there to be determined as Law will, as if it were Appeal of Robbery. And if the said Appeal be not found true, that then the Appellor shall pay to the Appellee his damages taxed by the Enquest and Twenty pound, and over that One hundred shillings to the King for his Fine, Saving the Kings Prerogative.

Ordinationes & Actiones in quodam magno Consilio Domini Regis apud Dublin, anno regni Regis HENRICI sexti, tricesimo tertio tent: coram Thoma Fitz. Morice Comite Kildare deputato Richardi Ducis Eborum locum tenentis dicti Domini Regis Terrarum suarum Hibernie, Anno Domini 1455.

C A P. I.

An Act whereby Commissioners are prohibited to award Exigents.

Rot. Parliament. cap. 8.

AT the request of the Commons, where before this time, divers Commissioners of our Soveraign Lord the King within this Land of Ireland, to hear, enquire, and determine of Felonies, Trespasses, and Treasons, have put out process of Outlary against divers men before them endyted, as well against men dwelling in other Shires, as within the same Shire, where the said Commissioners sit. And for that, that before Commissioners there is no common dayes limited, as there is in the Bench of the King, they will send one Capias returnable at this day, and one Alias returnable within Two dayes then ensuing, and one Pluries, returnable within other Two dayes then following; and that so done, then they will award one Exigent, by the which Exigent so awarded, the party shall lose his Goods and Chattels that not knowing, and so by such mean, every man dwelling in far Shires, may lose his Goods and Chattels they not knowing: Whereupon the premises considered, it is ordained and established by Authority of the said Council, That every Exigent for the King, of Felonies or Treasons to be awarded be void, if not, that it be in the Bench of the King. And if it be within Liberties, for Lords of the said Liberties, that then it be before their Judges of their places, and not before Commissioners.

Exigents to
issu onely
out of the
Kings
Bench, or
liberties for
felonies or
treasons.

C A P. II.

An Act that the Recorders or Clerks of Dublin and Drogheda shall have but two pence for the Copy of a Plaint. Rot. Parl. cap. 21.

Item, At the request of the Commons, whereas many and diverse great Exortions are done and used in the City of Dublin, and in the Town of Drogheda, that the plaintiffs affirmed in the said City and Town, the Recorders and Clerks of the said City and Town, would give no Copy of the Plaints so affirmed to no man, unless he pay for the same Two shillings for the Copy of every Plaint, to the great extortion and oppression of all the Liege-people of the King: Whereupon the premises considered, It is ordained, established and enacted by Authority of the said Council, That the said Recorders or Clerks, shall take for the Copy of a Plaint, but Two pence in no manner. And if any person that feels himself grieved in the premises, to complain unto the Mayors, Bailiffs, or Sheriffs of the City and Town, for the time being, and then they shall make and compel the said Recorders and Clerks to take but onely Two pence aforesaid. And if the said Mayors, Bailiffs, or Sheriffs give no remedy in the matter aforesaid, That then the said Recorders and Clerks that more take, than the said Two pence, to stand as outlawed of Trespasse, and out of the protection of the King, and never to occupy the said Office of Recorders and Clerks in the said City or Town.

2d. for every
copy of a
plaint in
Dublin and
Drogheda.

C A P. III.

An Act that every man shall answer for his son and waged men. Rot. Parl. cap. 22.

Item at the request of the Commons, whereby one Statute made at Kilkenny, It was ordained, that if any of the lineage or adherence, or of the retinue of any chiefteyn of English lineage within this Land, the which the said chiefteyn may chastice, do any trespass or felony, that the said chiefteyn after that he had notice thereof, that he should take the said malefactor and put them to the next Gaole, there to remain untill he were delivered by Law: and if the said chiefteyn will not so do, that his body shall be taken for the said Malefactor, and in prison detained until the body of the said Malefactor be rendred unto the Court of the King, and there to be justified as is aforesaid, and nevertheless, the said chiefteyn to be for one contempt ransomed at the will of the King and to make amends to the party grieved: and for that, that every Chiefteyn will say that they may not chastice their Linage and their waged men, the

Ir. St. 11 El.
cap. 4.
11 Car. Re.
cap. 6.
Ir. St. 35 H. 6
cap. 2. That
the father
shall answer
for the son,

except punishment of death.

said estatute is defrauded and not put in execution, wherefore it is ordained and accorded by Authority of the said great Council, that every man answer for his Sons and his waged men.

C A P. I V.

An Act concerning Commissioners and Escheators. *Rot. Parl. cap. 14.*

Statutes made against Escheators of force against Commissioners.

IT is ordained, established, and determined by the Authority of the said Great Council, That all the Statutes made before this time against the Escheators, shall be put in ure, and be of force, and as penal against Commissioners, as against Escheators, for all manner of things done by any manner of Commissioner, sithence the making of the last Statute at Dublin, before Edward Fitz Eustace the Deputy Lieutenant of Ireland, against Escheators, or hereafter to be done by any manner of Commissioner. Provided, that the said penalty shall not extend to the Justices of the one Bench and thother, the Barons of the Exchequer, and the Serjeant and Attorney of the King.

Statutes and Ordinances made and established in a Parliament holden at the *Naas*, the Friday next after the Feast of *All Saints*, in the Thirty fifth year of the Reign of King *HENRY* the Sixth, before *Thomas Fitz Maurice* Earl of *Kildare*, Deputy to *Richard* Duke of *York*, the Kings Lieutenant of his Land of *Ireland*. *Anno Dom. 1447.*

C A P. I.

An Act that Frenchmen, Spaniards, Brittons, Portingales, and other Nations, coming out of other Lands with Merchandises, shall pay for every pound of silver that they carry out of this Land, forty pence of custom to the Kings Customer. *Rot. Parl. cap. 6.*

Foreigners shall pay 40 d. custom for every pound of silver exported.
Ir. St. 5 H. 6. cap. 10.

AT the request of the Commons, that whereas no mean can be found to keep the Kings Coin within the Land of Ireland, It is ordained and established by Authority of the said Parliament, That all manner men coming out of other Lands with their Merchandises, that is to say, Frenchmen, Spaniards, Britons, Portingalls, and other sundry Nations, shall pay for every pound of Silver that they carry out of the Land of Ireland, Forty pence of Customs to the Kings Customer, to the use of the King, And if any man do the contrary in concealing of the said Customs, he shall pay for every peny Twenty shillings to the said Customers to the Kings use.

C A P. II.

An Act that every man shall answer for the offence of his sons, as the offender ought to do, saving punishment of death. *Rot. Parl. cap. 7.*

11 El. ca. 4.
The father to answer for the offence of the son, except punishment of death.
Ir. St. 33. H. 6. cap. 3.

Also at the request of the Commons, that forasmuch as the Sons of many men from day to other, do rob, spoil, and covnyne the Kings poor Liege-people, and masterfully take their Goods without any pity taking of them: Wherefore the premises considered, it is ordained and established by Authority of the said Parliament, That every man shall answer for the offence and ill-doing of his Son, as he himself that did the Trespas and Offence ought to do: Saving the punishment of Death, which shall incur to the Trespasser himself.

C A P.

C A P. III.

An Act that persons not amenable to the Law, shall not enter, distrain, rob, threaten or kill any Tenants for any Lands or Tenements; contrary to the Common Law, but shall first shew their Title to the Governor and Council, and thereupon have licence to distrain or enter in peaceable manner. *Rot. Parl. cap. 9.*

AT the request of the Commons, that where sundry persons not amenable by the Common Law, do feign Titles to Lands and Tenements of diverse men, the which are under the Jurisdiction of the Law, and by such feigned Titles, they threaten the Tenants and Inhabitants in the said Lands and Tenements, to rob them, to pray them, to kill them, so that for fear the said Tenants dare not dwell in the said Lands and Tenements, but must fly and avoid the said Lands and Tenements, and leade them waste, which is a great imminent mischief, like to make much of this Land waste, considering that such persons out of the Law at this day, have more great rule for default of punishment of misgovernance, than persons that obey the Law: Wherefore the premises considered, it is ordained and established by Authority of the said Parliament, That if any person which is not amenable to the Common Law, do enter, distrain, rob, or threaten, or kill any such Tenants of any Lands or Tenements by strong hand, contrary to the Common Law, unless that they do sue first to the Lieutenant, Justice, or Deputy, and the Kings Council in this said Land, and shew their Title, and thereupon to have a special Licence to distrain or enter in peaceful manner, as may be thought lawful to the said Lieutenant, Justice, or Deputy, and the Council; And if any person contrary to this Statute, do enter, distrain, rob, kill, or threaten any Tenants or Tenements, so that the said Lands or Tenements shall lye waste; that then they shall lose their Title and Claim of the said Lands and Tenements for ever, from them and their Heirs. And that this Statute shall not extend to such persons as are amenable by the Common Law.

Persons not amenable to the Law, not to enter or distrain without licence of the Governor.

Statutes and Ordinances made and established in a Parliament holden at *Dublin*, the Friday next after the Feast of the Purification of our Lady, in the Thirty sixth year of the Reign of King HENRY the Sixth, before *Thomas* Earl of *Kildare*, Deputy to *Richard* Duke of *York*, the Kings Lieutenant of his Land of *Ireland*. *Anno Dom. 1458.*

C A P. I.

An Act that Beneficed persons shall keep residence. *Rot. Parl. cap. 8.*

AT the request of the Commons, That whereas diverse persons advanced to Benefices within the Land of *Ireland*, do absent them out of the said Land in other Lands, whereby the issues and profits of their said Benefices be yearly taken forth of the said Land of *Ireland*, to the great impoverishment and weakning of the same, diminishing of Gods Service, and withdrawing of Hospitality: It is ordained and established by Authority of the said Parliament, That all manner Benefices within the said Land, of whatsoever condition that they be, shall keep residence continually in their proper persons in the said Land, within Twelve moneths after the said Parliament finished, and otherwise the issues and profits of the said Benefices (Divine Service and Ordinary Charges kept) shall be divided, the half

Beneficed persons must keep residence.

to the commodity and profit of their Benefices and Churches, the other half to be expended in our Sovereign Lord the Kings Wars in defence of this poor Land of Ireland, and any Grants of Absency made by our Sovereign Lord the King to them or any of them, or to be made and granted in time coming to the contrary hereof, to be void and of no force in Law, unless that it be by Authority of Parliament. Excepted Students, Pilgrims, and such as will of necessity, must sue by way of Appeal, or any other lawful way for Reformation of their Benefices.

C A P. II.

An Act concerning the inclosing of Towns and Villages. *Rot. Parl. cap. 6.*

Inclosure of
Towns and
Villages.

VHereas now of late, there are divers Towns and Villages made waste in this Land, by the Robbery of Thieves in the Night, by default of inclosure, stopping, and ditching; And because that many of the said Towns be in High-ways between Market and Market, the Tenants and Inhabitants thereof dare not stop, ditch, nor inclose such Towns and Villages for fear of Indictments, so that many Towns and Villages are made waste, to the great hurt of this Land. The premises therefore considered, it is ordained and established by the Authority of the said Parliament, That it shall be lawful to every Tenant and Inhabitant of such Towns and Villages being in High-ways, for to stop, ditch, and inclose the said Towns and Villages in the strongest manner that they can, so as there shall be a competent and a sufficient High-way left and made for Carts and Carriages, through or near the said Towns or Villages, so that people be not interrupted in their passage from Market to Market, nor that the High-ways be not made very far about, not above forty Perches. Provided always, That any man that will make an High-way, shall make the same upon his own Land. And that the Tenants and Inhabitants of such Towns and Villages may lawfully stop, ditch in, and inclose such Towns and Villages in form aforesaid, without any Impeachment of our Sovereign Lord the King, his Heirs, or Ministers, in time to come: And if any Office, Seizure, or Indictment be hereafter found contrary to this Statute against any person or persons, it shall be adjudged void, and of no value nor effect. And this Statute shall be observed and take place, as well within Franchises and Liberties as without, and as well against Lords of Franchises, their Ministers and Officers, as against the King.

Statutes and Ordinances made and established in a Parliament holden at *Dublin*, the Friday next after the Feast of *S. Blase* the Martyr, in the Thirty seventh year of the Reign of King *HENRY* the Sixth, before *Thomas* Earl of *Kildare*, Deputy to *Richard* Duke of *York*, the Kings Lieutenant of his Land of *Ireland*. *Anno Dom. 1459.*

An Act that Warrants made to the Great Seal, shall have the day of their delivery to the Chancellor, &c. entred, and that the Patents shall bear the date of that day. *Rot. Parl. cap. 13.*

Patents
shall bear
date the day
of the deli-
very of the

At the request of the Commons, for that, that the Lieutenant of our Sovereign Lord the King of Ireland, or their Deputies, Justices, and other Governours of the said Land, at the special request of diverse Gentlemen, have made their Warrants to be directed into

into the Chancery of Ireland, of Lands, Tenements, Rents, Offices, and Services, to bear date long time before divers other Warrants, directed into the said Chancery of the said Lands, Tenements, Rents, Offices, and Services, whereby diverse the Kings Liege-people, having such Lands, Tenements, Rents, Offices, and Services, of the Gift or Grant of the King by the said Warrants, have been put out of their said Lands, Tenements, Rents, Offices, and Services, granted by our Sovereign Lord the King, by force of the said Antedates, against reason, right, and conscience. Wherefore to do away such subtiler imaginations of such Antedates, it is ordained and established by Authority of the said Parliament, That upon every Warrant hereafter by the Kings Justices of Ireland, the Kings Lieutenant of Ireland, or their Deputy there for the time being, to be addressed to the Chancellor of Ireland, or his Deputy there, or Keeper of the Great Seal of Ireland, for the time being, the Day of the Delivery to the said Chancellor, Deputy, or Keeper, shall be entered of Record in the said Chancery, and that the Kings Letters Patents be made upon the same Warrants, bearing date the Day of the same delivery into the said Chancery, and not before in any manner. And if any Letters Patents of our Sovereign Lord the King, be made to the contrary, they shall be void, and holden for none, to begin the first Day of March next coming, and from thenceforward.

Eng. St. 18
H. 6. cap. 6.

Statutes and Ordinances made and established in a Parliament holden at Drogheda, the Friday next after the Feast of St. Blaise the Bishop, in the Thirty eighth year of the Reign of King HENRY the Sixth, before Richard Duke of York, the Kings Lieutenant of his Land of Ireland. Anno Dom. 1460.

An Act that none shall sue actions in the Exchequer, unless the Plaintiff be minister to the Exchequer, or Servant to any Minister of Record of the Exchequer, upon pain of ten pounds. Rot. Parl. cap. 12.

AT the request of the Commons, That whereas before this time, a Writ of King Edward the Third, late King of England, was directed to his Treasurer and Barons of his Exchequer of Wyvelin, the Tenour whereof doth ensue in this form: ff. Edwardus Dei gratia, Rex Angliæ & Franciæ, & Dominus Hiberniæ Theſ. & Baronibus suis de Scaccario suo Dublin salutem. Cum secundum legem & consuetudinem Terræ nostræ Hiberniæ communia placita coram vobis ad Scaccarium placitari non debeant, nisi placita illa nos vel aliquem ministrorum nostrorum ejusdem Scaccarii specialiter turgent: Ac jam ex parte hominum libertatis Midie in terra prædicta nobis est graviter conquerendo, monstratum quod volipſos homines ad sectam quorundam asserentium se valectos ministrorum dicti Scaccarii existere, qui ministri nostri in Scaccario prædicto deservientes non existunt, ad respondendum coram vobis in Scaccario prædicto, in placitis de transgressionibus contractibus, debitis & compotis distringi facitis, contra leges & consuetudines supradictas: Nos nolentes ipsos homines indebitè prægravari, Vobis mandamus quod homines libertatis prædictæ, seu alios homines Terræ nostræ prædictæ, ad respondendum coram vobis in Scaccario prædicto, de hujusmodi transgressionibus, convencionibus, contractibus, debitis, seu compotis, nisi turgent nos vel aliquos ministrorum nostrorum Scaccarii præd. qui in eodem Scaccario deserviens fuerit nullatenus compellatis, seu compelli facitis contra legem & consuetudinem supradictam. Teste meipſo apud Westm. vicesimo die Octobris Anno Regni nostri Angliæ 30. Regni vero nostri Franciæ decimo septimo. The which Writ, and the commandment of the King therein openly expressed notwithstanding, yet the men of the Liberty of Wethe specified

None but
ministers of
the Exche-
quer or their
servants
shall sue.

1r. Sc. 28 H. 6. cap. 4. **Penalty** 10 pounds.

cified in the said Writ, are continually distrained by Writs of Capias, and distress coming out of the same Exchequer of this Land, at the Suits of such person and persons which are named in the same Writs, Peomen or Ministers of the said Exchequer, where they are not Peomen or Ministers, to answer there in Pleas of Trespasse, Contracts, Debts, and Accompts, against the tenor of the said Writ, and the due execution thereof in time before, and to the over great and importable hurt of the said men: Wherefore the premises considered, it is ordained by Authority of the said Parliament, That whosoever do sue any Action in the Kings Exchequer in Ireland, unless the Plaintiff be Minister to the said Exchequer, or Servant to any Minister of Record of the said Exchequer, that he shall lose Ten pounds, the one half to the King, and the other half to the party that will sue, so oft as he doth sue any such Action.

Statuta, Ordinationes, & Actiones, in quodam Parlamento Domini Regis apud *Dublin*, die Veneris proximo ante Festum Sancti *Luce* Evangelistæ, Anno Regni Regis EDWARDI Quarti secundo, coram *Rolando Fitz Eustace*, Milite, Domino de *Portlestr* Deputato *Georgij Ducis Clarentie* locumtenentis, ipsius Domini Regis Terræ suæ *Hibernie*, tento ac ibidem finito & determinat. edit. in forma quæ sequitur. Anno Dom. 1462.

An Act that certain money shall be received of the issues and profits of the Courts, for the repairing of the Hall of the Castle. Rot. Parl. cap. 4.

Money to be received of the profits of the Courts for the repair of the Hall of the Castle.

AT the request of the Commons, Whereas the Castle of the King our Sovereign Lord of his City of *Dublin*, in which the Courts of our said Sovereign are kept, is ruinous and like to fall, to the great dishonour of our said Sovereign Lord: Whereupon the premises considered, it is ordained by Authority of the said Parliament, That Forty shillings yearly to be taken and received of the Issues and Profits of the Hamper of our said Sovereign Lord, of his Chancery of Ireland; and Forty shillings yearly to be received of the Issues and Profits of his Chief Place; and Forty shillings yearly to be received of the Issues and Profits of his Common Place; and Three pounds yearly to be received of the Issues and Profits of his Exchequer in his said Land, and Twenty shillings yearly to be received of the Issues and Profits of the Masters of the Mint for the time being, and the same to be delivered yearly to the Clerk of the Works of the said Castle for the time being, and that he shall account yearly before the Barons of the Exchequer of the King in Ireland, according to the ancient form, and that all the Leads of the Isles of the Hall of the said Castle, be sold by the Treasurer of Ireland, to make and repair the said Hall.

Stat' Ordination' & Action' in quodam Parliament' Dom' Regis apud *Wey*s, die Veneris prox' ante Festum S. *Martini* Episc'. Anno Regni Regis EDWARDI Quarti tertio, coram *Thoma Desmond* Comit. *Desmond* Deput' *Georgij Ducis Clarentie*, locumten

ten' ipsius Dom' Regis Terræ suæ *Hiberniæ* tent', ac abinde die Jovis, tunc prox' sequent' ad Civitat' dicti Domini Regis *Waterford* certis legit' causis adjornato & contin', ibid' die Lunæ ad tunc prox' sequent' tenend', ac exinde die Sabbati in Festum Sancti *Edwardi* Regis, tunc prox' sequente ad Villam de *Naas*, alijs legitimis de causis simili modo adjornat' & contin', ibid' tenendo die Lunæ proxim' ante Festum S. *Matthiæ* Apost' tunc prox' sequente, nec non deinde die Veneris ad tunc prox' sequ. ad Civit' præd' Dom' Regis *Dublin*, certis alijs legit' de causis simili modo adjor. & contin' ibid' etiam tenend' die Lunæ prox' ante Festum S. *David* Episc. tunc prox' sequent', & die Sabbati ad tunc prox' sequent' finit' & terminat', ædi' in forma quæ sequitur. Anno Dom. 1463.

C A P. I.

An Act, whereby the Lords and Commons of the Parliament hath privileged for certain days before and after the said Parliament. *Rot. Parl. cap. 45.*

AT the request of the Commons, where the Priviledge of every Parliament and Great Council of this Land of Ireland, is, That no Minister of the said Parliament, coming or going to the said Parliament, during forty days before, and forty days after the said Parliament finished, should not be empleaded, vered, nor troubled by no mean. This notwithstanding, one Lawrence Tathe Esq; hath arraigned Assise of ^{novel disseisin} against John Barnewall, being knight for the County of Dublin in this present Parliament, as it is informed, for Two Water-mills in Athirde, in the County of Lowthe, the Writ being returnable before our Sovereign Lord the King, in his Chief Place in Ireland, to the intent that he may recover the said Two Mills against the said John Barnewall by default, contrary to reason, and conscience, and the Priviledge aforesaid. Whereupon the premises considered, It is ordained, enacted, and established by Authority of the said Parliament, That the said Writ of Assise so taken against the said John in any other Court of the King, or before his Commissioners in whatsoever manner it be, against him solely, or against him jointly, with any other person or persons whatsoever, and all the Records thereunto pertaining, be deemed, adjudged, and holden void, and of none effect, in all points, as it had never been sued nor taken against him sole or him jointly, with any other person or persons whatsoever. And further it be also enacted and established, That every Minister, as well Lords, Proctors, as Commons, be discharged and quitted of all manner Actions, had or moved against them, or any of them, during the time aforesaid, and this to endure for ever.

Lords and Commons have privilege for 40 days before, and 40 days after the Parliament

Priviledge though the Suit be joint.

C A P. II.

An Act, what fees Attornies in the Kings Courts shall take, and what Fees shall be paid for Writs and other Records. *Rot. Parl. cap. 77.*

Item, At the request of the Commons, where the Land of Ireland in effect is waste and destroyed by the Irish Enemies and English Rebels of the King, and the Laws of the King within the said Land so diminished. That notwithstanding Preignotaries and Attorneys of the King, except the Chancery, had so largely taken their fees and wages for Copies of Writs and Records, as they did when this Land of Ireland was in a far better point and at their pleasure, the which

That Attornies in the Kings courts shall take but 12 pence for their fee.

4 pence for
the copy of
every origi-
nal writ.

Penalty 5
pounds.

is a great hurt and loss for the faithful Liege-people of the King inhabiting within this said Land, and withdrawing of the Lawes of the King: Whereupon the premises considered, it is enacted, ordained, and established by Authority of the said Parliament, That every Clerk or Attorney, in every Court that the King hath, shall take for his Attorneyship in every Plea by Writ or Bill, Twelve pence onely, or under; and for the Copy of every Writ original, onely Four pence, or under; and for the Copy of other Bills and Records, by the discretion of the Judges where the Matter lyeth, and not at the will and judgment of the Clerk that hath the said Writs, Bills, and other Records in keeping. And if any Clerk, Attorney, Keeper of Writs or Records aforesaid, do or take contrary to the premises, or refuse to be Attorney (in case he be not detained with the contrary part) or refuse the Copy of any Original Writ, Bill, or other Record, as is aforesaid, that then the Clerk, Attorney, Keeper of the Writs, Bills, or other Records aforesaid, to lose to the party grieved an Hundred shillings, so often as they or any of them offend contrary to these Ordinances. And that they be forejudged out of the Court in which they are, except the Clerks of the Chancery aforesaid, for that they ought to labour in the Service of the King.

C A P. III.

An Act against clipped Money. Rot. Parl. cap. 24.

Clipped mo-
ney not to
be taken.

Also at the request of the Commons, That inasmuch as the Groat, the Half-groat, and the Penny, and other Coyns are lost and destroyed by divers and many clippings: It is ordained, established, and enacted by Authority of the said Parliament, That Money clipped shall not be taken in and by no manner of payment, after the Feast of the Purification of our Lady next ensuing, but that it be after the said Feast utterly void, dampned, and determined no Coyne of the King, and that it shall be lawful to every man to refuse the same, and that thereupon a Proclamation shall be made in the said Parliament, and upon the same Proclamation Writs shall be directed to the Sheriffs, Mayors, Bayliffs, Sovereigns, Porttriffes, and all other Officers and Ministers within the said land of Ireland, to make Proclamation upon this present Act. And thereupon Proclamation was made in the said Parliament, according to the said Act or Ordinance. Ir. St. 25 H. 6. cap. 6.

Statutes established in a Parliament holden at Trym, the Wednesday next after the Feast of St. Lawrence the Martyr, Anno quinto EDWARDI quarti, before Thomas Earl of Desmond, Deputy to George Duke of Clarence, the Kings Lieutenant of Ireland. Anno Dom. 1465.

C A P. I.

An Act that like Challenges shall be made touching the Feoffee, to use as should be touching him to whose use he standeth infeoffed.

Rot. Parliament. cap. 10.

The like
challenges
shall be ta-
ken to the
Feoffee as
to the Ces-
tey; use.

At the request of the Commons, that where diverse persons infeoffed Chapleins and others to their use and profit, of divers lands, the which they claim, because whereof they bring Writs and other Suits against other men the which be very Tenants of the same and others, to this intent, that the said Tenants ought not have any challenge in law against the officers, that is to say, Sherieffs, Coroners or Jurors, whereupon the premises considered, it is ordain-

ed by authority of the said Parliament, That the person or persons the which be sued or grieved by such suits and feoffments, may have the same challenge against any Sheriff in making of their Ray, Baylif, or any other, with that, that he that is sued or grieved may aver that the said Jurors, Sheriff, Coroner, or any other officer, is Gossip kinne or allied, or any other lawfull challenge, the which was good in law against him to whose use the said parties sued, if he had sued the same action in his owne proper name.

C A P. II.

An Act that it shall be lawful to kill any that is found robbing by day or night, or going or coming to rob or steal, having no faithful man of good name or fame in their company in English apparel, &c. *Rot. Parl. cap. 12.*

Item at the request of the Commons, that for that that diverse great Robberies, Thefts and murders be done from night to night by Theeves upon the faithful Liege people of the King within this Land of Ireland, specially and most commonly in the County of Meath, the which hath caused and made great desolation and wafts in the said County it is ordained and established by authority of the said Parliament, that it shall be lawful to all manner of men that find any Theeves Robbing by day or by night, or going or coming to rob, or steal, in, or out, going, or coming, having no faithful man of good name and fame in their company in English apparel upon any of the Liege people of the King, that it shall be lawful to take and kill those, and to cut off their heads, without any impeachment of our Sovereign Lord the King: His Heirs, Officers, or Ministers, or of any others, and of any head so cut, in the County of Meath, that the cutter of the said head and his ayders there to him, cause the said head so cut to be brought to the Portresse of the Town of Trim, and the said Portresse to put it upon a stake or spear upon the Castle of Trim, and that the said Portresse shall give his writing under the Common Seal of the said Town, testifying the bringing of the said head to him. And that it shall be lawful by authority of the said Parliament to the said bringer of the said head, and his ayders to the same, for to distrain and levy by their own hands, of every man having one Plough-land in the Barony where the said Thief was so taken, two pence, and of every man having half a Plough-land in the said Barony, one penny, and every other man having one house and goods to the value of Fourty shillings one peny, and of every other Cottier having house and smoak, one half peny. And if the same Portresse refuse for to give the said certificate by writing, freely under his said common Seal, then the said Portresse to forfeit to the said bringer of the said head ten pounds, and that he may have his action by Bill or by Writ, in whatsoever Court shall please the bringer of the said head for the said ten pounds against the said Portresse. *Rep. 11 Car. cap. 6.*

Lawful to kill such as are going to rob.
St. 28 H 6.
cap. 3. general act.

C A P. III.

An Act that the Irishmen dwelling in the Counties of Dublin, Myeth, Vriell, and Kildare, shall go apparelled like English men, and wear their beards after the English maner, swear allegiance, and take English surname. *Rot. Parl. cap. 16.*

At the request of the Commones it is ordeyned & established by authority of the said Parliament, That every Irish man that dwells betwixt or amongst Englishmen in the County of Dublin, Myeth Vriell and Kildare shall go like to one English man in apparel and having of his beard above the mouth, and shall be within one year sworn the Liege man of the King in the hands of the Lieutenant or Deputie, or such as he will assign to receive this Oath for the multitude that is to be sworn, and shall take to him an English surname of one Town, as Sutton, Chester, Crym, Skryne, Corke, kinsale: or colour, as white, Blacke, Browne: or arte or science. as Smith or Carpenter: or office, as Cooke, Butler, and that he and his issue shall use this name, under pain of forfeiting of his good yearly till the premises be done to be levied two times by the year to the Kings warrs, according to the discretion of the Lieutenant of the King or his Deputy.

That Irish men shall be apparelled like Englishmen, and swear allegiance.

CAP. IV.

An Act that every Englishman and Irishman that dwelleth with Englishmen, and speaketh English, betwixt sixty and sixteen in years, shall have an English Bow and arrows. *Rot. Parl. cap. 17.*

English
men to keep
bows and
arrows.

Item. at the request of the Commons, that consideration had to the great number of Irishmen, that exceed greatly the English people that in force and augmentation of the Kings lieges, it is ordeyned by authority of the said Parliament. That every Englishman and Irishman that dwell with Englishmen and speak English, that be betwixt sixty and sixteen in age, shall have an English Bow of his own length and one fismeale at the least betwixt the necks, with, twelbe shafts of the length of thre quarters of the Standard, the Bows of Elwe, Wyck-hassell Althe Woburne, or any other reasonable tre acording their power, and the Shafts in the same maner, within two moneths next after the publication of this estatute, on pain of two pence a man from moneth to other, till that he shall have and continue the Bow & Shafts, and in lue of the Bow and Shafts broken and lost to have new, under pain of two pence every moneth till it be done. And yet not prohibiting Gentlemen on horseback to ride according their best disposition to ride with Spear, so that they have Bows with their men for time of necessitie.

10 H. 7. c. 9.

CAP. V.

An Act for having a Constable in every Town, and a pair of Butts for shooting, and that every man between sixty and sixteen shall shoot every Holyday at the same Butts. *Rot. Parl. cap. 18.*

That there
shall be a
Constable
and Butts
in every
Town.

At the request of the Commons, it is ordeyned and established by authority of the said Parliament, That in every English Town of this land that pass thre houses holden by tenants, where no other president is, be chosen by his neighbours, or by the Lord of the same Town one Constable to be President and governour of the same Town in all things that pertaineth to the common rule of the same Town, as is in ordinance of night watch from Michaelmas to Easter yearely under pain of thre pence every night, and also to ordeyn one paier of Butts for shooting within the Town or well neere, upon the costs and labour of the said Town under pain of two shillings from one moneth to other after the publication hereof till the Constable be made and the Butts also, and that every man of the same Town in such hour as the Constable or his Deputy of his neighbours will assign that is betwixt lx. and xvi. mustier before the Constable or his Deputie at the said Butts, and shoot up and down thre times every feast day betwixt the first day of March and the last day of July under pain of one halfe peny for every day, and that all these paines be levied of their goods or wages from moneth to moneth by the Constable to be spent in strengthening of the same Town, or otherwise in his default to be levied by the Wardein of the peace, and that the paines lost be spent upon the Towns where the said pains riseth.

CAP. VI.

An Act that no Ship or other Vessel of any Forreign Country, shall go to fishing in the Irish Countries, and for custom to be paid of the Vessel that cometh from Forreign Lands to Fishing.

Rot. Parl. cap. 38.

No Forreig-
ner to fish in
Irish coun-
tries.

Item at the request of the Commons, that where diverse vessells of other lands fro one day to other going to fish amongst the Kings Irish enemies in divers parts of this said Land, by which the Kings said enemies be greatly advanced and strengthened as well in victuals, harneys, armour, as diverse other necessities, also

also great tributes of money giben by every of the said vessels to the said enemies from day to day to the great augmentation of their power and force against the kings honour & wealth, and utter destruction of this said Land, whereupon the premisses considered, it is enacted and ordeyned by authoritie of the said Parliament, That no maner vessel of other Lands shall be no time nor season of the yeare from henceforth, from the feast of the Nativity of our Lord Jesus Christ next coming, go in no part of the said Land betwixt the said Irish enemies to no maner fishing without one speciall licence of the Lieutenant, his Deputy or Justice of the Land for the time being, or licence of another person having the kings power to graunt such licence, upon pain of forfeiture of the ship and goods to the King, And that whatsoever persons or person, that kinde or impeach any of the said vessels. Rumpants or forfeits against this Act by the authority of the same it be lawful to them so making any claim in the behalf of the King and approving the said forfeitures by any of the said vessels so to be made that the King shall have the one moitie of the said forfeiture, and the said persons or person shall have the other without any impeachment, and that all maner vessels of other Lands coming in the said Land of Ireland a fishing, being of the burden of twelve Tunns or less, having one Drovers or Boate, every of them to paye for the maintenance of the Kings wars there thirteene shillings foure pence by the year. And all other small vessels, as Scarfes or Boats, not having Drovers nor Lighter being within the said burden of twelve tunnes, every of them shall pay two shillings going a fishing in like maner. Provided alwayes, that no vessel fishing in the North part of Wicklo, be charged by reason of this Act, and that the Lieutenant, his Deputy or Justice of the Land for the time being, shall have the foresaid summes and duties of money so paid, to be employed in the Kings wars for the defence of the said Land, and that the Customers and Collectors of the same summes, shall accompt before the said Justice, Lieutenant, or Deputy for the time being, or such Auditors that shall be for the same appointed by the King or them, and not before the Barons of the Exchequer in the said Land, and that none of the said vessels so coming from other parts in the said Land, shall not depart out of the said Land, till every of them pay their said duties, upon pain of forfeiture of the vessels and goods to the King.

What each
boat shall
pay.

Stat' Ordination' & Actio' in quod' Parlamento apud Dublin, coram Johanne Com' Wigorn', Deput' Georgij Ducis Clarentie locumten' Dom' Regis Terræ suæ Hibernia, Anno regni Regis EDWARDI quarti septimo, & ibidem diversis vicibus prorogato & continuat' prout sequitur. Anno Dom. 1467.

C A P. I.

An Act that the Governour for the time being, may pass into Islands.

Rot. Parliament. cap. 21.

AT the request of the Commons, whereas divers persons hold opinion, that if the Lieutenant or his Deputy of this Land of Ireland for the time being, pass out of this land into any Island near unto the same: that the office of the said Lieutenant or his Deputy should be void: whereupon the premisses considered, it is

That the
office of
Lieutenant
or Deputy
does not de-
termine by

their going
into Islands
near Ire-
land.

ordeyned by authority of the said Parliament, That if the Lieutenant of this said land, or his Deputy for the time being pass out of the said Land into any Island near unto the said Land of Ireland, and return again into the said Land that by the said passage into the said Island, the said office shall not be voyd, but the authority of the said Lieutenant or his Deputy in his said office shall stand in force and effect. Ir. St. 25. H. 6. cap. 1.

C A P. II.

An Act that none shall purchase Benefices from Rome. Rot. Parl. cap. 22.

None shall
purchase
benefices in
commenda-
m from
Rome.

AT the request of the Commons, whereas of auncient time all maner of Parsons and Vicars; having competent Benefices, did keep hospitalitie to the honour of God, and to the profit of poor people, and now of late diverse men of the holy Church, suing to the Court of Rome, hath purchased Bulls from the holy father the Pope to have as well Abbeyes, Priories, and other Dignities, as Parsonages and Vicarages in commendam to the finall extinguisment of Divine Service and hospitalitie, Whereupon the premisses considered, in eschewing of those mischieses, it is ordeyned, enacted and established by authority of the said Parliament, That whatsoever maner man of holy Church, purchase any maner of dignity parsonage, or vicarage by Bulls of the Pope to hold in commendam, and the said Bulls, Dignities, Parsonages, or vicarages, accept that they shall be out of the protection of the King. and forfeit the value of the said Benefices during his life naturall, notwithstanding whatsoever his Benefice be, dignity or Parsonage, or vicarage, and shall incurre in all penalties of the estatutes or ordinances made against provisors of benefices, and that no pardon of licence of the King made or to be made be available, but void if it be not by Act of Parliament. And if any maner man of the Church occupy now, or hereafter do occupy any Parsonage or Vicarage by way of commendam by the Bulls Apostolique, if it be of his owne collation, that he shall make collation thereof, within six moneths, and if he do not that then the Dean and Chapter of the Diocesse. in which Diocesse the said Benefice is shall make collation of the said Benefice within six moneths then next ensuing, And if the said Deane and Chapter be negligent, and make no collation of the said Benefice within six moneths as before is said, that then it shall be lawfull to the King to present to the said Benefice for that time, and as often as the case require as is aforesaid.

C A P. II.

An Act, whereby Letters Patents of Pardon from the King to those that sue to Rome for certain Benefices, is void. Rot. Parl. ca. 23.

Letters pa-
tents for
pardon for
suing to
Rome for
Benefices.
Re cap.
prox. sequ.

ITem, at the request of the Commons, it is ordeyned and established by authority of the said Parliament, That all maner Letters Patents of the King of pardons or pardon granted by the King. or hereafter to be granted to any Provisor that claim any title by the Bulls of the Pope to any maner Benefices where at the time of the impetrating of the said Bulls of provision the Benefice is full of an Incumbent, that then the said Letters patents of pardon or pardons be voyd in law and of none effect.

C A P. IV.

An Act for the removing of the Exchequer and Common Pleas.

The Lieute-
nant of Ire-
land or his
Deputy

AT the request of the Commons, it is ordeyned by authority of the said Parliament, That the Lieutenant of this land or his Deputy for the time being, shall have power to remove the Exchequer and Common place of the King to such places as shall seem

to him most necessary and expedient, by the garnishment of twentieth and eight dayes, all manner of Records and Proces continued and saved how or wheresoever the Writs of the King of any of the said places bear date or be returnable. Any Statute, Act, or Ordinance made to the contrary notwithstanding.

babe power
to remove
the Arche-
quer and
Common
place.

Statut' Ordinationu' & Actus edit' in Parlamento teno' apud Drogheda die Lunæ proximo post festum Sancti Michaelis Arch-angeli, An' Regni Regis EDWARDI Quarti Octavo. Anno Dom. 1468.

C A P. I.

An Act concerning Rape. Rot. Parl. cap. 70.

Rape

VHereas it is so that by a Statute made in England in the time of Richard the Second late King of England in the first year of his Reign at Westminster: it was ordained amongst other things in these words following, viz. Quod ubicunque & quodocunque dominæ filie nobilium, & alie mulieres de cetero rapiantur, & post huiusmodi raptum, huiusmodi raptoribus consenserint, quod tam raptores sive rapientes quam raptæ, & eorum quelibet de cetero inhabilitentur: & inhabiles sint ipso facto ad omnem hereditatem seu conjunct' feoffamentum post mortem virorum & antecessorum suorum habend' vel vindicand'. Et quod statim in hoc casu proximus de sanguine eorundem rapientem & raptorum cui hereditas dos & conjunct' feoffament' descendere, revertere aut remanere deberet, post mortem rapientis vel raptæ habeat titulum immediate, statim scilicet post raptum intrandi super rapientem vel raptam ac eorum assignatos, & tenentes in eadem hereditate dote seu conjunct' feoffamento illa hereditarie tenend': & qd' viri huiusmodi mulierum, si viros habuerint superstites, & si non habuerint viros quod tunc patres vel alij de sanguine eorundem propinquiore de cetero habeant sectam prosequendi, & sequi poterunt versus eosdem malefactores & raptores in hac parte, ad ipsos convincend' devota & membris eadem mulieres post huiusmodi raptum dictis raptoribus consenserint prout in dicto statuto plane liquet. Having consideration that the people learned in this Kingdom have conceived some doubt whether the said Statute made in England ought to be of force in this Land without a confirmation thereof in this Land, in avoiding of all inconvenience and mischief which might happen because of the ambiguity of the said Statute, it is enacted, confirmed, and ratified by authority of the said Parliament, that the said Statute be adjudged and approved in force and strength, and that the said Statute may be of force in this Land from the first day of March last past: and that from henceforth the said Act and all other Statutes and Acts made by Authority of Parliament within the Realm of England, be ratified, and confirmed, and adjudged by the Authority of this Parliament in their force and strength, from the said first day of March.

Ir. St. 10 H. 7.
10 cap. 22.

C A P. II.

An Act against Ingrossers and Regrators of Corn. Rot. Parl. cap. 76.

against In-
grossers and
Regrators
of Corn.

VHereas diverse persons having themselves great abundance of all manner of Corn have used to buy in the common Market great store of corn to grauell up the same to sell upon a dearth, and also diverse other persons called Badgers have used to goe to one Market and have bought great store of Wheat and corne at one price and shortly after have taken the same Corn unto another Market and have there sold at a more deer price by two pence or four pence in the bushell, which hath been the greatest means of dearth within this Land to the great intollerable hurt of the poor inhabitants of this Land of Ireland, Therefore it is ordained and established by authority of the said Parliament, that no man having sufficient store of corn

of his own, shall buy any maner of corne in the common Market, nor that no other person nor persons called Badgers shall buy any maner of corn in the form aforesaid, upon such payn as is made against the Regrators of the Kingsmarket, and they and every one of them to be iudged in the law as common Regrators of the Market, Also that it shall not be lawfull to no man of what condition soever he be which will buy any maner of Corn in the common Market to sell the same againe in the same Market, nor in no other Market, upon pain to be adjudged in Law as a common Regrator of the Market.

Stat' Ordination' & Actio' in quod' Parlamento Dom' Regis apud le Naas, die Veneris prox' post Festum Sancti Andreæ Apost. Anno regni Regis EDWARDI quarti duodecimo, coram Thoma Fitz Morice Comite Kildare, Depuc' Georgii Ducis Clarencie locumten' ipsius Domini Regis Terræ suæ Hibernie ten' prorogat' & abinde ad Civitat' ejusd' Domini Regis Dublin usque diem Jovis prox' ante Festum Sancti Gregorii Papæ tunc prox' sequent' adjorn', ac ibid' diversis vicibus prorog' & continuat' ut patet inferius nec non finit' & terminat' in hæc verba. Anno Dom' 1472:

C A P. I.

An Act for prohibiting Staple Wares to be carried into Scotland without paying custome Rot. Parl. ca: 24.

Custom to
be paid for
staple wares
carried into
Scotland.

AT the request of the Commones, whereas diverse persons within the Countie and libertie of Ulster, from day to day doth lade hydes and other Staple merchandises, and them carryeth to Scotland, not paying the custome of the King our Soueraigne Lord the King, called the Cocket, as it is done in Dublin, and Drogheda and in all other places, by the which the King is defrauded of his custome from day to day, to the disherison and great prejudice of our said Soueraigne Lord: whereupon the premisses considered it is ordained, enacted, and established by authoritie of the said Parliament, That if any person or persons. carry any hides, or any other Staple merchandise out of Ulster into Scotland, not paying the custome of the King to the Customers of the King. or his Deputie assigned to receive the custome of the King there. that he or they so lading and carrying Hydes, or any other Staple merchandises into Scotland aforesaid, not customed, shall forfeit unto our said Soueraigne Lord, the said hydes, or any other Staple merchandise so laden and carried, or the value of them: and for that the writs of the King, ne the law of the King, nor court is not used betwixt the people of the King there: It is ordeyned by the said authority, That the Justice of the Kings Bench for the time being, shall have full power to enquire by twelve men of the next county adioyning to Ulster of all persons and of every person, which lade and carry hydes or other Staple merchandises to Scotland not customed, as well in times past, as in time to come, and all process upon the said presentment or presentments, and every of them, to make unto the said Sherife of the said county adioyning to Ulster, as if the said presentment or presentments have been taken within the said county or liberty of Ulster, and process upon them made to the said Sherife or Seneschall of the said

said county and liberty of Ulster: and also to determine all the said presentments and every of them, according the form agreeing to this act, and according the course of the common law, and that the Custom of the King in Ulster have his action to the value of the said custome against all such persons, which have taken any Staple merchandises before this time into Scotland, contrary to the Statutes therein made.

C A P. II.

An Act for bringing Bowes into this Realm from the Realm of England by Merchants and others. *Rott^e Parl^e ca. 45.*

AT the request of the Commons, whereas the Land of Ireland is desolated of Bowes, to the suportation of the said land, and defence of the said Commons against the Irish Enemies of the King, and English Rebels of the same, whereupon the premisses considered, it is ordained and enacted by Authority of the said Parliament, and Proclaimed in the same, That every Merchant and Passenger that bring Merchandises into this Land of Ireland, out of England, to the sum of an Hundred pound, that he shall buy and bring with him into the said Land in Bows, to the value of an Hundred shillings, and so following after the rate under or over, to the sum of twenty pounds. And if any Merchant or Passenger bring any Merchandise in the said Land, and bring with him no Bows as is afore rehearsed, that the said Merchant shall loose and pay the value of the said Bowes, the one moyety thereof to the King, and a moyety to the Searchers of the same for the time being. And that the said Searchers may have an action of debt against the said persons therefore in any Court that the King have, as well for the King as for the said Searcher: and that by the said authority it is ordained that the Bayliffs of the City of Dublin for the time being, be Searchers of the same, within the Franchise of the said City, and that the Sheriffs of the Town of Drogheda in like manner upon the same, within the Franchise of the said Town, and so in like manner the Officers of the same in every City and Town within this Land of Ireland. And if the said Searchers in any City and Town within this said Land, be negligent in exercising of the said Search, that they shall loose to the King for every default Fourty shillings. And the penalty of this Act shall not be against any person until the first day of June next coming, and that the Clerk of the Parliament make writs of Proclamation to Dublin, Drogheda, and every other Town, necessary upon the premisses, and that the Searchers for the time being, present in the Kings Bench, or in the Exchequer of the King in Ireland, upon the pain of Fourty Shillings the names of all the Merchants or Passengers, which bring no Bows, as before is rehearsed, and thereupon Proclamation was made in plain Parliament accordingly. *Rep. 10. Car. 1 cap. 22.*

C A P. III.

An Act that no Grain be laden out of the Realm, unless the same be at a certain price. *Rott^e Parl^e ca. 47.*

ITem, at the request of the Commons, for that there is so great lacke of money in this Land, and also the graine are enhansed to a great price, because of great lading from day to day used and continued within this Realme. by the which great dearth is like to be of graines, without some remedy be ordeyned in the said Parliament, whereupon the premisses considered, it is ordained, enacted and established by authority of the said Parliament, That no person or persons lade no grain out of the said Land to no other parts without, if one peck of the said grains exceed the price of ten pence, upon pain of forfeiture of the said grain or the value thereof. And also the Owner of the Ship, within the which the said grains are laden, shall forfeit the said Ship (that is to say) the one moyety of the said Ship and grains to the King, and the other moyety to the party that seise, or take the said graines and Ship.

No grain to be transported if the price be above ten pence per peck.

Statute Ordination & Actus in quodam Parlamento Domⁱ Regis apud Dublin, die Veneris proxim^o post Festum Sanctæ Margaritæ Virginis, ann^o regni Regis EDWARDI quarti, quint^o decimo coram Reverendo in Christo Patre Wilhel-

mo Episc. Mieth deput' excellentis Principis & Domini, Domini Georgii Ducis Clarencie locumtenent' Domini Regis Terræ suæ Hiberniæ tent. ædit. in hæc verba. Anno Domini, 1475.

An Act prohibiting distresses to be taken contrary to the Common Law.

Rotul. Parliament. Cap. 8.

Felony to
take pledges
contrary to
the Com-
mon Law.

AT the request of the Commons, where in this Land diverse persons taketh pledges, and the said pledges do convey, take and convert to their use, contrary to right, Law, and conscience, whereupon the premises considered, it is enacted and adjudged by Authority of the said Parliament, that whatsoever person or persons, of what degree he or they be, take any such pledges, contrary to the Common Law, that by Authority of the said Parliament, he or they that so take or cause the said pledges to be taken, be adjudged Felon or Felons of our said Sovereign Lord the King attainted, and their Goods and Chattels, Lands, and Tenements forthwith upon the said Act done to be forfeited to our Sovereign Lord the King, unless he from whom the said pledges shall be taken, be not amenable to the Common Law.

Parliamentum tent. apud le Naas die veneris proxim. ante festum Sanctæ Petronillæ virginis, Anno Regni Regis EDWARDI Quarti decimo Octavo, coram Geraldo Com' Kildare Justic. Domini Regis terræ suæ Hiberniæ ac ibidem diversis vicibus continuat. & prorogat. videlicet. Anno. Dom. 1478.

C A P. I.

An Act whereby distresses taken for rent may be sold. Rott. Parl. cap. 12.

What dis-
tresses
taken for
rent may
be sold

Ir. St. 10.

Car. Ica. 25

Ir. St. 11.

Car. Icap. 7.

Tem, at the request of the Commons, that whereas diverse Lords Spiritual and Temporal, and free Tenants are oftentimes hurt and put to delays and losses of their Rents by distresses and taking of distresses, that is to say, when the distresses are taken often times, they dye, & often times break the pound, & often times taken with Theeves & others, & often times the Tenant from whom the distresses are taken have no more distresses nor other goods by which he may be distrained, so as often times are both the Lord and Tenant hurt, for which it is ordained and accorded by Authority of this present Parliament, That when any Lord henceforth take any distress, if the distress be not quit within eight days after the taking, that then it shall be lawful to the Lord to call before him or his Officer four men of the same Lordship, and to make them swear before him or his Seneschal, or his receiver upon a book to praise the distress or distresses so taken, and if he from whom the distress is taken, do not come within other eight days after the presentment, and pay his duty, or make no agreement with his Lord, or his Officer, then the Lord to take it as it is praised for his Rent with his damages. And if the distress be better than the Rent with the arrearages, the Lord to restore the surplusage unto the Tenant, and if it be of lesser price than the value of the Rent with tharrearages, the Tenant to pay the surplusage, or to be again distrained.

C A P. II.

An Act concerning the choosing of Knights and Burgeesses of Parliament.

Rott. Parl. ca. 5.

where-

Vhereas in a Parliament lately holden at Dublin as it is said, and in diverse other Parliaments before that at Dublin and other places as it is said, it was ordained and established, that no manner of man should be admitted Proctor into any Parliament for any Clergy if he were not beneficed within the Diocess there, nor Knight for a County if he were not dwelling within the said County, and might dispend Forty Shillings within the said County yearly; Citizen for City if he were not a Citizen dwelling within the same City, nor Burgeses for Borough Town if he were not dwelling within the said Town: and if the contrary were done, that the Parliament in which any such person were admitted and were not inhabitant according to the Acts and Ordinances made in the said Parliaments, shall be void and of no force nor effect in the Law, as in the said Acts and Ordinances more fully appeareth. The Premises considered, and how great a distance and how great peril it is of the Kings Irish Enemies and English Rebels, as well by Sea as by Land, and openly known how great mischiefs so oftentimes have been done in the ways, as well in the South part and the North, as in the East and in the West part of the said Land, by reason whereof they may not send Proctors, Knights, Citizens nor Burgeses, according to the said Acts or Ordinances: wherefore if any such Acts be, it is ordained and established by the authority of this present Parliament, that the said Acts or Ordinances so made be void and of no effect in Law, And that by the same authority all manner of Lords Spiritual and Temporal, Deans, Chapiters, Clergies, and Sheriffs, Seneschals and Sheriffs of Crolles, Mayors, Bayliffs and Portreeves which have not returned their Writs before time, that they shall return their said Writs upon their peril at the next prorogation or adjournment of this Parliament, and that all Proctors, Knights, Citizens, and Burgeses, so to be returned, to be admitted able, lawful and effectual, the said Acts or Ordinances notwithstanding.

Knights &
Burgeses
of Parlia-
ment.

Ir. St. 33. H.
8 cap. 1.

Statut' Ordination' & Actus edit' in Parlamento tento apud Dublin die Lunæ proximo post festum translationis Sancti Thomæ Martyris, anno Regni Regis EDWARDI Quarti vicesimo, coram Geraldo Comite Kildare deputato dilecti & charissimi filij dicti Domini Regis Richardi Selopie ducis Eborum locumtenent' ipsius Domini Regis terræ suæ Hiberniæ. Anno Dom. 1480.

An Act to restrain the carrying of Hawkes out of this Kingdom.

Sessio secunda.

Vhereas Hawks of diverse natures as Goshawks, Tiercels, & of other natures, were lately of great plenty within the Land of Ireland to the great pleasure of our Sovereign Lord the King, and other Lords and Gentlemen of his Realm of England, and of his Land of Ireland: Now so it is, that Merchants as well of the said Realm of England as of the said Land of Ireland, have taken so many Hawks out of the said Land, rather for merchandises to be sold than for any other cause, insomuch that no Hawks may be had to pleasure our Sovereign Lord the King and His Lords. Wherefore the premises tenderly considered, it is ordained, adjudged, and enacted by Authority of the said Parliament, That whatsoever Merchant shall take or carry any Hawk out of the said Land of Ireland, shall

What shall
be paid for
transporta-
tion of
Hawks,

pay for every Goshawke Thirteen shillings and four pence, for a Tiercel six shillings eight pence, for a Falcon Ten shillings, and the poundage accordingly. And that every Merchant that shall do contrary to this Act, so often as he so doth shall incur the penalty of Forty shillings, the one half to the King, and the other half to the finder or informer.

Parliamentum tentum apud Dublin die veneris proximo post Festum Nativitatis Sanctis *Johannis Baptiste*, Ann' Regni Regis Henrici Septimi Octavo coram Waltero Archiepiscopo Dublin, deputato Jasparis Ducis Bedfordie & Com' Penbrochie locumten' Dom' Regis terre sue Hibernie. Anno Dom. 1493.

An Act for the cleansing of the Water-course in St. Patricks street.
Rott' Parliament' cap. 6.

That every
one shall
cleane the
precinct of
his tenement
upon the
Dodel.

AT the supplication of the Dean and Chapter of the Cathedral Church of Saint Patricks of Dublin, inasmuch as the said Church and Colledge is of the foundation of our soveraign Lord the King, and the said Church and Close is scituated, and standeth in a low valley, notwithstanding by the grave consideration and diligent provision of the said Dean and Chapter, fearing the violence of the waters and floods, to their great charge and cost for the safegard of the said Church and Close have made divers issues and gowts for the free aboydance of all such suddain floods, Also there was of old time and now there is two rivers or passages of waters, one upon every side of Saint Patricks Street called the Dodel, through which all such waters had a lawfull course and large passage without any impediment, until now of late that the said Rivers and Dodels be filled and stopped, as well by the inhabitants of houses inhabiting upon the said Dodels in stopping or casting of stoppance out of their houses, as doing of beatts as by Tanners making ditches or damms to water their skinnes, insomuch as they have stopped both parts of the Dodel, that the water may not have his lawfull free course and passage, so that within a few years and late dayes the said Church and Colledge have ben surrounded with great superfluties and abundance of waters, to the great hurt and damage of the said Dean and Chapter and Colledge: The premisses considered, it is enacted, established, and adjudged by authority of this present Parliament, That every man which doth dwell or inhabit, or hath a house or shop upon the said Dodel, upon every part thereof, shall cleance and scour the said precinct of his tenement or inheritance to the said channell, as it was of old time, within two moneths after this present Act pass, upon pain of twenty shillings, to be levied by the Proctor of the Church of Saint Patrick aforesaid for the time being without any other authority or impediment, And henceforth upon the said pain in like maner to be levied, that no man nor woman by no meanes stoppe nor disturbe the course nor free passage of the said water.

Stat' Ordination' & action' in quod' Parlamento Dom' Regis apud Drogheda, die Lunæ prox. ante festum Sancti *Andree* Apost. Anno Regni Regis HENRICI septimi decimo, coram *Edwardo Poynings* Milite Deputato ipsius Domini Regis terre sue Hibernie edit' in hæc verba, Anno Dom. 1495. C A P.

C A P. I.

An Act authorising the Treasurer to make all Officers as the Treasurer of England doth. *Rott^h Parl^h cap. 5.*

BE it ordained, enacted and established in this present Parliament, by the assent of the Lords Spiritual and Temporal, and the Commons of this Land in this Parliament assembled, that the Treasurer of the said Land of Ireland from henceforth have as ample and large power in all things concerning or belonging to his said Office, as the Treasurer of England hath in his Office, as for to make all Customers, Controllers, Farmors and other Officers accountants for the most approvement and encrease of the Kings Revenue of this Land. And over that it be ordained and established by the said authority, that all manner Act or Acts, made afore this time by the authority of any Parliament, holden within the said Land, concerning the election or making of Sheriffs and Escheators, of the Shires of the said Land, and all other officers accountants, and farmours accountants, contrary to this present act be revoked, annulled, and deemed void and of none effect in the Law. And that it be ordained and established by the authority aforesaid, that the Treasurer of Ireland from this time forward, every year shall make a declaration of his account of the revenues of the same Land before the Barons of the Kings Exchequer in Ireland, and before such of the Kings Counsaill there, as shall be appointed or named by the Kings Lieutenant or Deputy for the time being, and the same Declaration to be certified into the Kings Exchequer in England, and there before the Barons of the Kings Exchequer in England, the said account to be finished and determined. And that this present Act extend not, ne be prejudicial to the Mayor, Bayliffs and Commons of the City of Dublin, ne to their successours, ne to no City nor Town privileged within the Land.

That the Treasurer of Ireland shall have as large power as the Treasurer of England.

C A P. II.

An Act that the Chancellour and Treasurer, Judges of the Kings Bench and Common Place, the chief and second Baron of the Exchequer, the Clerk or Master of the Rolls, and all Officers accountants to have their Offices but onely at the Kings will and pleasure.

Rott^h Parl^h cap. 6.

Item, prayen the Commons, that in consideration of the great and manifold inconveniences that late were attempted there contrary to all natural allegiance, to the Kings grievous displeasure, by the Procurement, Counsaill, and exhortation of such Officers as late had administration of Justice under the King in that Land, and such as were Officers accountants, and had their Offices granted unto them by Patent for term of life, by reason whereof they were the more bolder to misuse their such authority, Therefore be it ordained, enacted, and established by Authority of this present Parliament, That from this time forward, no maner person or persons that shall have ministration of Justice, that is to say, the Chancellour, the Treasurer, Judges of the Kings Bench, and Common Place, the chief and secondary Baron of the Exchequer, the Clerk or Master of the Rolls, and all maner Officers accountants have any Authority by Patent in their such Offices, but onely at the Kings will & pleasure: and if any grant afore this time or hereafter be made of any of the said Offices, unto any person or persons there, contrary to the premises, the same to be deemed void and of none effect in the Law, and by the same authority all and every maner Act or Acts before this time made to the contrary hereof to be revoked and deemed void and of none effect in the Law.

The Chancellour, Treasurer, Judges and all Officers accountants to have their Offices onely during the Kings pleasure.

An Act annulling a prescription which Traytors and Rebels claimed within this Land. *Rot. Par. cap. 7.*

The Prescription that any Traytor comming into Ireland should have succour here against the Kings Writs be adjudged void, and likewise the Statute which was in confirmation of that Custom.

PRayen the Commons, that in consideration of the great and heinous abusions and errors late had within the Land of Ireland, by reason of an Usurpation or pretended prescription, declaring that it hath been used time out of mind that all manner of persons, as well Rebels Traytors, as other evil disposed persons, for any cause comming and ariving into the said Land, have used to have succour, tuition, supportation and free liberty within the said Land during their abiding there, without any grievance, hurt or molestation of any person, notwithstanding any Writ, Privy Seal, the Great Seal, Letters Writives, under signet, or other commandment from the King, directed unto any Officer or other person within the said Land, to be executed against any such person or persons being Rebels or Traytors, whereas there was never such prescription ne usage had ne seen, experience whereof evidently appeareth in the time of that Holy and Blessed King of perpetual memory King Henry the first, the said pretended and unlawful prescription was approved, ratified, and confirmed by Authority of Parliament late holden within the said Land afore Richard Duke of York there being then in rebellion, & pretending himself Lieutenant of the said Land unto the late King Henry the first, and by the authority of that Parliament it was ordained and made high Treason against any person or persons that would bring any Writs, Privy Seals or other commandments to attach, disturb, or grieve any such person having succour, tuition, or supportation, whereupon one William Obery Esquire then being Servant unto James late Earl of Wiltshire and Ormond, for the cause was judged by the said late Duke to be Drawn, Hanged and Quartered, and so was put to Execution. And now of late it is not unknown what abusion and inconveniences have been within the said Land by reason and colour of the said feigned unlawful prescription, and the said act of confirmation thereupon made, as in the maintaining, supporting and assisting these two laddes there contrary to all faithful and natural allegiance, the which abusion and enormity is declared and spoken of through all Christian Realms, to the great shame and derision of such supporters, receptors, and maintainers. In reformation whereof, and to the intent that no Rebel from henceforth have cause or courage to be as is aforesaid maintained, received, or supported within the said Land, that it be enacted, ordained and established by the authority of this High Court of Parliament, That the said false Usurpation or pretended prescription, and the aforesaid Act of ratification, and confirmation, and every thing in it contained thereupon made, be utterly revoked, annulled, expelled, & deemed void, and to be of none effect in the Law. And moreover by the said authority it been ordained, and enacted, That if any person or persons within the same Land of Ireland, of what estate, degree, or condition he be of, do maintain, support or receive any such Rebel or at any time hereafter, that as well the receptor and maintainer, as that Rebel or Person so received, or maintained, be taken, reputed and adjudged as open Traytors unto Our Sovereign Lord the King. And over that, it be enacted, ordained and established by the same authority, That the Kings Great Seal, Privy Seal, and Letters Writives, under his Signet, sent out of His Realm of England be duely obeyed, any such pretended prescription, usurpation, act, confirmation, or other ordinance made to the contrary notwithstanding.

C A P. IV.

An Act that no Parliament be holden in this Land, untill the Acts be certified into England. *Rot. Parl. cap. 9.*

Item, At the request of the Commons of the Land of Ireland, be it ordained, enacted, and established, That at the next Parliament that there shall be holden by the Kings commandment & licence wherein amongst other the Kings grace intendeth to have a general resumption of his whole revenues sith the last day of the Reign of King Edward the Second, no Parliament be holden hereafter in the said Land, but at such season as the Kings Lieutenant and Counsaile there first do certifye the King under the great seale of that Land the causes and considerations, and all such acts as them seemeth should pass in the same Parliament, and such causes, considerations, and acts affirmed by the King and his Counsaile to be good and expedient for that Land, and his Licence thereupon, as well in affirmation of the said causes and Acts, as to summon the said Parliament under his Great Seal of England had and obtained, that done, a Parliament to be had and holden after the form and effect afore rehearsed: and if any Parliament be holden in that Land hereafter. contrary to the form and provision aforesaid, it be deemed void and of none effect in Law. *Ir. St. 28 H. 3. cap 4, & 20. 11 El. cap. 1, & 8:*

No Parliament to be holden till the Acts be certified into England. *Ir. St. 3 & 4 P. & M. c. 4.* That other Acts may be passed besides those certified before the Parliament called.

C A P. V.

An Act against Provifors to Rome. *Rot. Parl. cap. 10.*

Prayen the Commons assembled in this present Parliament, That where afore this time there hath been, and yet be within the said land of Ireland, many Debates and strifes betwixt the Prelates and other of the Church of Ireland, by reason of diverse provifors suing by false and untrue suggestions made unto the Court of Rome for to deprive and put out of possession the said Prelates and other beneficers from their livelihood and benefices, and by colour and cause whereof many of the Kings true subiects, Prelates and Beneficers, in that land wrongfully by strength and might be put out of their livelihood, and such persons provifors, be put in their places, contrary to the Statutes of provision in that behalf ordained, and contrary to reason, right, and good conscience: Wherefore be it ordained, enacted, & established by the authority of this present Parliament. That all maner of Statutes alwell made within the Realm of England, as within the said land of Ireland against provifors by the authority of this present Parliament be authorized, approved, & confirmed & be deemed good and effectuell in the Law: and also by authority aforesaid, That all and every of the Statutes, made against provifors be from henceforth duely and straightly executed in all points within the said land, according to the effect of the same, And the Kings Justices, and Commissioners of the said land diligently enquire at their Sessions, and all other times requisite and behoveful of all and every maner of person or persons that hereafter offend the said Statutes or any of them and every of the said persons so founden defectible or trespassing in any of the said Statutes, from henceforth be duely corrected and punished in example of all other in time to come, according to the tenure and purport of the said Statute.

That all the Statutes in England & Ireland against Provifors to Rome, be in force in Ireland. *Ir. St. 32 H. 6. cap. 1. 7 E. 4. cap. 2. & 3. Eng. St. 25 E. 3. cap. 22. 13 R. 2. c. 2. 16 R. 2. c. 5. 2 H. 4. c. 3. 7 H. 4. c. 8. 3 H. 5. c. 4.*

C A P. VI.

An Act that no Citizen receive Livery or Wages of any Lord or Gentleman. *Rot. Parl. cap. 12.*

Prayen the Commons, forasmuch as the Cities and great Towns of the Land of Ireland, & in especiall the city of Dublin have of late been abused, and inordinately have demeaned them for the most

No Citizen shall receive livery or wages.

most part contrary to their naturall faith and allegiance; not doing their duty to the King our Sovereign Lord and such as his Grace did commit his authority unto, but for the amitie and favour the which diverse of the said Cities and Townes did beare to diverse Lords and Gentlemen of the said Land, and also were retained with the said Lords contrary to their owne laws and customes, whereas they should take part with no man, but onely the part of their Sovereign Lord and his Lieutenant for the time being, and to see their said Cities and Townes surely kept under due order and obedience, the which retainers, parttaking and division have been a great cause of all the trouble within the said Land: Wherefore the premises considered, that it be ordeyned and enacted by authority of this present Parliament, from this time forward, That whatsoever Citizen, Burgesse, or freeman inhabite within any of the said Cities or Townes, doe receive livery or wages, or make other promise or suerty by Indenture, or otherwise with any Lord or Gentleman within the said land, that then he or they that shall so offend the premises, and as often, to be deprived of his or their freedom and libertie, And over that to be expulsed out of the said Citie for ever. And by the same authority it be ordeyned, that if the Mayor or head officers of the said Cities or Towns for the time being, doe not execute this present ordinance as often as it shall require, that then he forfeit to the King twenty pound. And by the same authority that it be ordained, that no Lord ne Gentleman of the said land retaine by livery, wages or promise, sign or token, by indenture or otherwise, any person or persons but only to such as he or shall be his officers, as Baylives Steward, learned counsaile, receiuors, and meniall servants daily in household at the said Lords costes. And if any Lord or Gentleman of the said land retain any person contrary to the form of this present act, that then, (that duly proved and examined by the Kings Counsaile or two of them, both the retainer and he that is retained, to leese and forfeit to the King twenty pounds of lawfull money, as often as they or any of them shall doe contrary to this present Act, and that this Act extend not to the Marches of the said land, so that the Marches of the same doe present the names by indenture of all such persons as they shall have in their retinue, such as they shall answer for at their perill to the Kings Lieutenant or his deputie for the time being.

Ir. St. 28H.
6. cap. 1.
post cap. 10.

C A P. VII.

An Act that none be admitted Alderman, Juror, or Freeman in no Town but if he have been Prentice or Inhabitant in the same *Rot. Parl. cap. 13.*

None but
prentices or
continual
inhabitants
be made Al-
dermen,
Jurors, or
Freemen,
within any
Cities or
Towns.

PRayer the Commons, that no Citie ne great Town within the land of Ireland from this time forwards receive or admit any person to be Alderman, Juror, or Freeman within any of the said Cities or Townes, but such persons as have been prentise or been continually inhabite in the said Cities or Townes, ne also call no Lord ne other person to their Congregations or Counsailes, but onely their Recorder and learned Counsaile retained with them, ne shall also elect any person to be Mayor or head officer of any Town or citie, but such as shall be well known to be the Kings true men, bearing a sad true mind to the common weale, and if any City or Town offend the premises or any part thereof, and that offence duly and lawfully proved and examined by the same authority, it be ordeyned that the Mayor and Commons of any such Citie or Town by whatsoever name they be incorporate by, to forfeit an hundred mark of money to the King as often as they or any of them shall offend the premises or any part of them and by the same authority it be ordeyned and enacted, That all
maner

maner acts and lawes made within any of the said Cities or Townes or hereafter to be made contrary to the Kings prerogative and iurisdiction royall be repealed, reboked and deemed voyd, and of none effect in Law. And that these present Acts be established for a law by authority of their own counsailes, and there to rest of record for the common weale of the said cities and townes.

C A P. VIII.

An Act for the Confirmation of Statutes of Kilkenny. Rot. Parl. cap. 19.

PRayer the Commons, that forasmuch as the Statutes of Kilkenny were made and ordeyned for the publike weal of the Kings subiects of Ireland, to keep them under due order and obeyfance, and all the season that the said statutes were set in use and duely executed the said land continued in prosperitie and honour, and sith the time that they were not executed, the foresaid subjects rebelled, and digressed from their allegiance, and the land did fall to ruine and desolation: the premisses considered, that it be ordeyned, enacted and established by authority of this present Parliament, That all and every of the foresaid statutes (those that will that every subiect shall ride in a saddle, and those that speaketh of the language of Irish all onely excepted) be authorized, approved confirmed and deemed good and effectuell in the law, duly to be enquired of, and to be executed according to the tenors and purport of them and every of them, any act or ordinance made to the contrary of them notwithstanding. And by the same authority it be ordeyned, that all other Acts made in that land for the common weal be likewise enquired of and executed, and that all the foresaid Statutes be incorporate and written in two bookes, one of them to be in the Kings chiefe place, and another to be in the common place and that the Treasorer of the said land have in commaundement by the Kings grace to see this performed.

A confirmation of the Statutes of Kilkenny.

C A P. IX.

An Act that the Subjects of this Realm shall have Bows and other Armour.

Rot. Parl. cap. 20.

PRayer the Commons, that in consideration that the subjects of Ireland have none English Bowes and Arrowes for the resistance of the malice of their enemies and rebels, like as they have had in times passed, by reason whereof they be not so able to defend them from destruction as they were at other seasons heretofore. Therefore it be ordeyned, enacted, and established by authority of this present Parliament, That every subject having goods and cattels to the value of x. li. have an English bow and a sheaf of arrowes according, every subject having goods to the value of xx. li. have a Jacke Sallet, and English bow and a sheaf of arrows, every freeholder having Land to the value yearely of foure pound, have his horse, Jacke, Salet Bow and sheaf of arrowes, every Lord, Knight, and Esquire, within the said Land have for every yeoman daily in their household Jack, Salet, Bow and Arrowes, to the intent that all the Commons of the said Land may be able to doe the King or his Lieutenant service for their owne defence and surety. And by the same authority it be ordeyned, That if the foresaid persons or any of them doe not observe and perform the premisses as it is before specified that then they and every of them doe forfeit to the King vi. s. viii. d. as often times as they and every of them shall offend the foresaid ordinance. And by the same authority it be ordeyned, That there be henceforward in every Barony within every Shire of the said Land two Wardens of peace, having authority as it hath bin vled of old time, and in every parish Constables of able persons inhabitants within the said parishes, and a

That the subjects of this Realm shall have Bows and other Armour.

payze of Butts to be had within every of the foresaid parishes at the cost of the said parishioners, that the commons of the said Land may the sooner attain the practise and experience of archers. And that the foresaid Constables in every parish upon pain of forfeiture of xii. d. at every default, doe call before them or one of them every holy day, all and every of the foresaid persons, having bowes and arrowes as afore is rehearsed to shoot, and cause them to shoot at the least two or three games at the said Butts. & by the same authority it be ordeyned, that if any of the said persons make default at any holy day without a reasonable cause shewed, that then the said Constables have full power and authority to record their defaults, and amerce them and every of them at every such default in iii. d. and the saide Constables to present the said amerciements in writing to the Barons of the Kings Exchequer in the said Land to be levied and perceived in like maner and forme as the Kings revenues been levied there.

C A P. X.

An Act that the Captains of the Marches do certifie the names of such as they have in their retinue. *Rot. Parl. cap. 22.*

The Captains of the Marches to certifie the names of such as they have in their retinue.

Ir. St 28 H.
6. cap. 1.
10 H. 7. c. 6.

Item prayen the Commons of the said Land of Ireland forasmuch as the most part of all such persons as bin inhabitants within the marches of the said Land, suffereth the Kings Enemies and Rebels to pass and repass through their Marches to robb and spoyle, bren and murder the Kings true Subjects being part priby to the same, therefore be it ordained and established by authority of this present Parliament, That every Marcher and English Captain inhabitants within the said marches and Land, fro this time forward do present the names of all such persons as they shall have in their retinue for the defence of the said marches and Land, to the King our Sovereign Lords Lieutenant, or his Deputy for the time being, by Indenture that they shall answer for every of their said retinue defaults to every person that will complain of them for any maner cause: and by the same authority it be ordeyned, that if any of the said persons inhabitants within the said marches voluntarily do succour, receive, or suffer any enemies or rebels to pass or repass, as before it is rehearsed, that he or they that so shall offend, and thereof duly convicted, be felon attainted, and the warden of every such march shall endeavour him by all his power, to take every such person so attainted, and bring him to the Kings Tayle. And by the same authority it be ordeyned, that all and every person or persons having land or possessions within the said marches do resort by themselves or their sufficient Deputies, such as shall be thought sufficient by the Kings Lieutenant or his Deputy, and the Kings Counsaill there, to their said Lands, and there continually do dwell in the same for the defence of the Kings Subjects there, after a certain Proclamation thereon made. And if they or any of them that have any such lands or possessions do not resort and dwell in their said lands, as it is afore specified after the said Proclamation thereon made that then it be lawful to our said Sovereign Lord to enter and seile the said lands, and to take and perceive yearly the issues and profits of the same lands, to the maintenance of his wars of his said land during the same absence of the said Lords, or their Deputies: and by the same authority it be enacted, ordained and established, that every man being of thage betwixt sixteen and sixty inhabitant within every County, City, Borough, or Town to such marches adjoyning upon reasonable and lawful warning to be had to them: be ready in their best defensible array for war, to aid and defend the foresaid marches, when need thereto shall require, according to the statute thereof made, and the pains contained in the same.

C A P.

C A P. XI.

An Act that no person take any money or amends for the Death or murder of his Friend or Kinsman, other than the Kings Laws will.

Rot. Parl. cap. 21.

PRayen the Commons of this Land of Ireland, that where it is used by diverse of the said Land for the Death of any of their friends or kinsmen to bren, slay, or robbe, as many as beareth the name of him that is slain, whereas his next Heir should sue appeal of death in the Kings Court for that murder, and by reason of such dampnable wayes, will compell all such persons as been of the same name that he is of, that was causer of that murder, howbeit. that he was never of his blood to pay assaut, that is to say, to depart with the most part of their goods by way of amends, wherefore it be ordeyned enacted, and established by authority of this present Parliament, That if any person or persons from this time forward doe challenge or cause any of the Kings subjects to pay any assaut, or have amends otherwise then the Kings lawes will in that behalfe, that he or they that so shall offend. and thereof to be convicted have iudgement *de vie & de member*. And by the same authority, that whensoever any such murder shall fortune, or any robbery to be done upon any of the foresaid subjects next adioynning to that place there as the murder or robbery shall fortune to be done, doe leby hue and cry according to the Statute of Winchester, on the pain contained in the said statute and by the same authority that the said stat. of Winchester and every article in it contained be due executed and put in uze as it hath been in old time past within the said Land.

Done to take amends for the death of his kinsman but such as the law will.

C A P. XII.

An Act that no gear Ordinances be in no Fortrefs, but by Licence of the Deputy. *Rot. Parl. cap. 23.*

Our soveraigne Lord the King by the advice and assent of his Lords spiritual, and temporall, Doctors and Commons in this present Parliament assembled, and by authority of the same, for the suerty and weal of his Lieutenant, Deputy, and subjects of his land of Ireland have ordeyned, enacted, and established, That no maner person ne persons from this time forward, doe retain or keep in his house, garison, or place, any maner ordnance or artillery, that is to say, great gunne or handgunne, except only long bow, arrowes and bills upon pain of forfeiture of the said Ordinance, And if any person or persons have any gunnes or ordnances, a bow except, and doe not deliver them to the Kings Lieutenant or Deputie within a moneth after proclamation hereupon made or at any time hereafter keep any such ordnances, without the Lieutenant or his Deputies licence thereof had, that then he or they that shall offend in the premisses, and as often, doe forfeit to our said soveraigne Lord xx. li. to be levied on their land goods and cattels, like maner and form.

No great Ordinance to be in any Fortresse, without the licence of the Deputy.

C A P. XIII.

An Act that no person stir any Irishry to make War.

Rot. Parl. cap. 25.

FOrasmuch as diverse persons have assembled with Banners displayed against the Lieutenant and deputy of the said Land, supposing that it was not treason so to do, and many times the deputy hath bin put to reproch, and the common weal set in adventure: Therefore it be ordayned and enacted by this present Parliament, That whatsoever person or persons fro this day forward, cause assemble, or insurrection, conspiracies, or in any wise procure or stirre Irishry or Englishry to make warre against our Soverain Lord the Kings authority, that is to say, his Lieutenant or Deputy or Justice, or

Treason to stir up the people to make war against the Kings authority, his Lieutenant, Deputy, or Justice.

else if any manner person procure or stir the Irishry to make warre upon the Englishry be deemed Traytor attainted of high Treason in likewise as such assemble and insurrection had been levied against the Kings own person.

C A P. XIV.

An Act that one born in the Realm of England to be Constable of Dublin, Trym, Lexlipp, Athlon, Wycklowe, Greencastle, Carlingford and Gragfergouse. *Rot. Parl. cap. 28.*

ITem, prayen the Commons, forasmuch as the Castle of Dublin, Trym, Lexlipp, Athlon, Wicklowe, Greencastle, Carlingford, and Gragfergouse bin the chief Castles of the said Land, and of right appertaineth to our Sovereign Lord, the which Castles have been negligently kept, and such as have been committed to the Constables or Keepers of them for Treason, Felony, and other offences, have suffered to escape wilfully to the great hurt and prejudice of our said Sovereign Lord, & of all the said Land. Therefore it be ordained and enacted by authority of this present Parliament, That fro this time forward, there be in every of the foresaid Castles an able and sufficient person of the Realm of England, Constable of every of the foresaid Castles for the more surety of our said Sovereign Lord, and of all his true subjects, and the better order to be kept in the said Castles. *Rep. 11. Car. 1. cap. 6.*

C A P. XV.

An Act touching the keeping of Records of the Earldomes of Marche, Connaght, Trym, and Ullster. *Rot. Parl. cap. 29.*

Concerning
keeping the
Records of
Trym, Ul-
ster, &c.

PRayer the Commons, forasmuch as the Earldomes of Marche, Ullster, The Lordships of Trym and Connaght bin annexed to our Soberaign Lord the Kings most noble crown. and that all such records, rolls, and inquisitions as sometime was remayning of record in the treasury of Trym, and as should entitle our said Soberaign Lord to all such Lordships, manors, Lands, Tenements rents, services, wards, mariages, and all other revenues appertaining to the said Earldome and Lordships, of late was taken and embesilled by diverse persons of malice pretended, to the great dammages and disherison of our said Soberaign Lord and his noble heyres, and to the great hurt and prejudice of his subjects and Tenants of the said Lordships. That it be ordeined and enacted by authority of this present Parliament, That there be open proclamation made in the said Parliament, that whatsoever person have any of the said Rolls, records or inquisitions, or knoweth where they be. and doe not deliver them or shew where they bin, to our said Soberaign Lords counsaill within the said Land, within two moneths next after the said Proclamation, that then they and every of them that so shall offend this present act, be deemed felons attainted. And by the same authority it be lesull to our said Soberaign Lord and to his heyres to enter and seise in all such manors, honors, Lordships, castles and tenements, rents, services, mores, medowes, pastures, waters, and myls with all and every of their appurtenances, And by the same authority that our said Soberaign Lord may present to all and every maner advousons of church or free chappell appending to any of the said honors, manors, or lordsh. or to advousons ingrose, any presentation, confirmation, or ratification to the patron notwithstanding, and doe seise all and every maner ward or wards, escheate, weifes, felons goods and all other things appertaining or belonging to the said Earldomes and Lordships, whereof any maner lesull title or discharge of our said Soberaign Lords interest cannot be shewed, And that this act extend not ne be prejudicial to such graunts as were made by Richard late Duke of Yorke, and Lord of Trym, to the Abbot and Covent of that blessed virgin, our lady of Trym.

C A P. XVI.

A Statute for the Lords of the Parliament to wear Robes. *Rot. Parl. cap. 30.*

PRayen the Commons, that for as much as it was alway used in time passed, that the Spiritual and Temporal Lords of the Land of Ireland did appear to our Sovereign Lord the Kings High Court of Parliament in their Parliament Robes, in like maner, as the Lords of England do appear at this day, and for penory the said Lords will do no collis thereupon by the space of xx. or xiv. yeares at the farthest, and have done away the said Robes, to their own great dishonour, and the rebuke of all the whole Land. Therefore it be ordained and enacted by authority of this present Parliament, That from this Parliament forward, that every Lord, as well Spiritual as Temporal, to appear to every Parliament that shall be holden within the said Land, in their Parliament Robes, in like maner and form as the Lords of the foresaid Realm of England doth appear to the Parliament holden within the said Realm. And if any of the aforesaid Lords appear to any such Parliament hereafter to be holden not having his Robe of Parliament. as before it is specified, that then he or they that so shall offend this present Act, and as often to forfeit to our said Sovereign Lord C. s. to be levied of his Lands and goods in like manner and form as other forfeitures been levied.

Lords of Parliament to wear Robes.

C A P. XVII.

An Act that no Peace ne War, be made with any man without licence of the Governour. *Rot. Parl. ca. 32.*

I Tem, Prayen the Commons in this present Parliament assembled, forasmuch as diverse Lords and Great Gentlemen of Ireland useth dayly to make seferal Peace with the King our Sovereign Lords Irish-Enemies, and where the Peace hath bin taken and concluded by the Lieutenants and their Deputies for the time being, with the foresaid Enemies, and for the Universal weal of our said Sovereign Lords true Subjects, the said Lords and Gentlemen for the singular lucoz and for malice, have diverse and many seasons, and without any authority of the Lieutenant or Deputy for the time being, entred into the Countries of such Irish Enemies as have standen under the protection of our said Sovereign Lord and the same Countries have robbed, spoiled, hurt and destroyed, by reason whereof, the said Enemies have likewise entred into the English Countrey, and the true English Subjects have robbed, spoiled, and bzent in semblable wise: wherefore it be ordained, enacted, and established by authority of this present Parliament, that from this time forward, there be no Peace ne War taken or had within the said Land, without the Lieutenant or Deputies licence, but such War and Peace as shall be only taken or made by the Lieutenant or Deputy for the time being. And whatsoever person or persons break the said Peace, or take singular truce, or robb, spoil contrary to this present Act, and such goods and cattels as they shall hereafter fortune to robb, and fortune to take of Irish Enemies do not deliver unto the Lieutenant or Deputy within Eight days after the taking, that then by the same authority, he or they that so shall offend this present Act, and as often to forfeit C. l. of lawful money to our said Sovereign Lord, and his or their body or bodies to be taken and committed to ward, there to abide without Bayl or Mainprise, unto such time as the said Hundred pounds be payed, and to find sufficient surety in the Chancery, that he shall no more offend this present Ordinance.

Peace nor war not to be made without licence of the Governour.

C A P. XVIII.

An Act for extirpation of a new maner of coyn and livery, upon pains comprised in the Statute of Kilkenny. *Rot. Parl. cap. 35.*

Extirpation
of a new
manner of
coyn and li-
bery.

Ir. St. 28 H.
6. cap. 1.

PRayen the Commons of this present Parliament assembled, that whereas notwithstanding the Act late made in the said Parliament of the aboiding and dampning of this evil custom of coyn and libery, there be many evil disposed persons which by subtile and crafty means and wayes, studying and imagining daily to cloke and colour the said dampnable custom, not foresceing or pondering such Acts and Ordinances thereupon late made for the Commonweal of this Land, nor also the great danger and pain therein contained accepteth, and take daily by colour of gift and reward of some husbandmen for his meat and his servants viii. d. and of some less, and of some more, besides sheaves of Otes and other grains for their horses, and so daily rideth about the Countrey from one husband to another, menacing to be revenged upon such husbands in time to come, if that they thereof should be denied, the which is equibalent and in like mischief to coyn and libere: Therefore it be ordeyned, enacted and established by authority of this present Parliament, That no maner of person from henceforth upon pain contained in the Statute of Kilkenny, for taking of coyn and libere, take any money or horsemeat by colour of gift, reward, or otherwise by reason of any such menace, of any husband or inhabitant in the Countrey, and also that no such Husbandmen or inhabitant from henceforth do give unto such person or persons of gift or reward, for his or their meat, any money or horsemeat by reason or occasion of any such menace, and if any such husbandman or inhabitant do hereunto the contrary at any time to come, and shew not or disclose the same in the name of such as offendeth the premisses, unto such Commissioners as shall enquire in the Countrey of coyn and libery, that such husbands or inhabitants forfeit C. s. as oftentimes as he endeavoureth him not to do according to the premisses, that is to say, the halfyndeale thereof to the King our Sovereign Lord, and thother half thereof to such as shall give information and knowledge thereof to the said Commissioners, and he or they to sue for the said forfeit by Bill or otherwise.

C A P. XIX.

An Act declaring a rate what Souldiers shall pay for their meat and drink, in time of Hostility. *Rot. Parl. cap. 36.*

What souldiers shall pay for meat and drink in time of hostilitie.

Item, prayen the commons, that forasmuch as our Soberaigne Lord the King hath sent into this his Land his army for to repress and subdue his rebells and enemies, and that this his land may be sooner reduced to his obeysance to his great cost and charge, and to the intent that the same army may the better be continued and kept for the same purpose, That it be ordeyned and enacted by the authority of this present Parliament, That the said army, whensoever they shall hereafter at any time ride to any journey or offing in this land to subdue the said enemies and rebels, or that the said enemies and rebels shall invade the said land, that at all such seasons the subjects of the said land and every of them, shall receive and lodge in his or their house every of the said army so that the foresaid souldiers so lodged, doe take and receive such meat and drink reasonable, as the Honour of the house then shall fortune to have at that time, and that they ne any of them shall take of any of the said army for their meat and drink above i. d. ob. for one meale, and for his servant i. d. and for every horse that shall appertaine to the sayd armie shall not pay above i. d. for fire field sheaves with a double band with litter according, that for lack thereof, they ne none of them have cause to complain,

plain, and by the same authority, if any person or persons there as any of the said army shall fortune to lodge at any time hereafter, doe refuse to receive or lodge any of the said army as before it is rehearsed, Lords and Gentlemen of xx. mark Land and more, Cities and Borough Townes onely excepted, that then he or they that shall offend this present Ordinance, to forfeit to our said Sovereign Lord as often as he or they that so shall offend xii. d. to be levied and paid in like manner as other forfeitures ben.

CAP. XX.

An Act abolishing these words *Cremabo, & Butlerabo.* Rot. Parl. cap. 37.

Item, prayen the Commons in this present Parliament assembled, ^{The words} that forasmuch as there hath ben great variances, malices, debates ^{from so,} and comparisons between divers Lords and Gentlemen of this Land, ^{& Butlers} which hath daily increased by seditious means of diverse idle and ill disposed persons, utterly taking upon them to be servants to such ^{bo, abolis-} Lords and Gentlemen, for that they would be borne in their said idleness, and their other unlawfull demeaning, and nothing for any favour or entire good love or will that they bear unto such Lords & Gentlemen. Therefore it be enacted and established by the same authority, ^{ed.} That no person ne persons, of whatsoever estate, condition or degree he or they be of, take part with any Lord or Gentlemen, or uphold any such variances or comparisons in word or deed, as in using these words, ^{from so,} *Cremabo, & Butlerabo,* or other words like, or otherwise contrary to the Kings Lawes, His Crown, and dignity, and peace, but to call only on St. George, or the Name of his Sovereign Lord the King of England for the time being. And if any person or persons of whatsoever estate, condition, or degree he or they be of, do contrary so offending in the premises or any of them, be taken and committed to ward, there to remain without bayle or mainprize, till he or they have made fine after the discretion of the Kings Deputy of Ireland, and the Kings Counsaill of the same for the time being.

CAP. XXI.

An Act whereby murder of malice pretended is made Treason. Rot. Parl. cap. 38.

Prayen the Commons, that forasmuch as there hath ben universal ^{Murder} murder by malice pretended, used and had in this Land by divers ^{made Treason.} persons, contrary to the Lawes of Almighty God & the King, without any fear or due punishment had in that behalf, that it be ordained, enacted, and established by authority of this present Parliament, and of the Lords Spiritual and temporal, and Commons in the same assembled, That if any person or persons, whatsoever estate, degree or condition he or they be of, from the Feast of the Purification of our Lady, the tenth year of the Reign of our Sovereign Lord King Henry the seventh forward, of malice pretended do slea or murder, or of the said malice provoke, stir, or procure any other person or persons to slea or murder any of the Kings subjects within this Land of Ireland, be deemed Traytor attainted of high Treason, likewise as it should extend to our said Sovereign Lords person, and to his Royal Majesty, & that the chief Lords have their escheats and forfeitures of all maner Lands, Tenements, Rents, Services, with their appurtenances, Any Act or Ordinances to the contrary hereof notwithstanding.

CAP. XXII.

An Act confirming all the Statutes made in England, Rot. Parl. Cap. 39.

1. S. 3. 11.
4. 11. 1.
13 E.

I Tem, prayen the Commons, that forasmuch as there been many & diverse good and profitable Statutes late made within the Realm of England by great labour, studie and policie as well in the time of our Sovereign Lord the King as in the time of his full noble and Royal progenitors late Kings of England, by the advise of his & their discret Counsaill, whereby the said Realm is ordered and brought to great wealth & prosperity, and by all likelyhood so would this land if the said Statutes were used and executed in the same: wherefore it is ordeyned and Established by authority of this present Parliament, by the assent of the Lords spirituall and temporall, and the Commons assembled in the same, That all Statutes late made within the said Realm of England, Concerning or belonging to the common and publique weal of the same from henceforth be deemed good and effectuell in the law, and over that, be accepted, used and Executed within this Land of Ireland in all points, at all times requisite according to the Tenor and Effect of the same. And over that by authority aforesaid, that they and every of them be authorized, proved, and confirmed in this said Land of Ireland. And if any Statute or Statutes have been made within this said land, hereafter to the contrary, they and every of them by authority aforesaid be adnulled, revoked, voyd and of none effect in the Law.

CAP XXIII.

An Act repealing a Parliament holden at Drogheda, before Robert Prestone Lord of Gormansdowne, Rot^h Parl^h cap. 40.

Acts made
at Drogheda
repealed
because the
Deputie had
no power
to call a
Parliament
and because
he had sur-
rendered his
Commission
and because
the same did
not issue to
all the
Shires.

P Rayen the Commons that forasmuch as there was a Parliament late holden at Drogheda before Sir Robert Prestone Knight, wiscount of Gormansdowne, deputy to the Right excellent Prince Jasper Duke of Bedford, Lieutenant of this land of Ireland, the which Parliament was decreed and deemed voyde to all intents by the King our Sovereign Lords Counsaile in Ireland for diverse causes, one was because the said Duke surrendered his letters patents of Lieutenantie before the said Parliament summoned, the second cause, that there was no generall summons of the said Parliament to all the Shires: but onely to foure Shires, the third cause, that the said Deputie had no manner power by his Commission to keep Parliament. For the which causes that it may be ordeyned and enacted by authority of this present Parliament, that the said Parliament so holden for the causes aforesaid, may be deemed voyd and of none effect.

Extract' quodam actor' & factor' apud Tristelerwiet, die Lunæ xxvi, die Augusti, anno regni Regis HENRICI septimi decimo quarto, coram Geraldo Com. Kildare deputat' locumtenent' terræ Hiberniæ tenet' edit & ibidem finito & terminato. Anno Dom. 1499.

That the
Acts of En-
gland for
the punish-
ment of cu-
stomers,
Merchants
&c. be put

An Act for punishing of Customers, &c. for their misdemeanors.

I Tem, at the prayer of the Commons within this present Parliament assembled, to the intent that the King our Sovereign Lord shall not be deceived of his Custome, Cocket, Tonage and poudage, nor of any other duty belonging unto him, of or for merchandise conveyed into the Land of Ireland, or out of the same land. It is authorized, enacted, and established by authority of this present Parliament,

ament, That all and every Act of Parliament made in England for punishment of Customers, Controlers and Searchers, for their misdemeanour or negligence in their office, or for the punishment of any Merchant or of their Proctors or factors, or for the good ordering of them or for the good ordering of any of the said officers, be put in execution by the officers of this land, according to the tenor and effect of them, and in like manner as they be put in execution by the Kings officers in England And that all and every of the said Acts be authorized and affirmed by this present Parliament. Provided alwayes that this Act shall not be put in execution till the said Acts of England be proclaimed at Dublin and Drogheda, and other Market Townes; to the intent that Merchants may know what those Acts be and the paines of the same.

in force in
Ireland af-
ter they are
proclaimed.

Anno decimo quinto HENRICI septimi. Anno Dom. 1500.

Twelve pence levied by the King out of every Twenty shillings worth of wares brought into Ireland, Wine and Oyl onely excepted.

Rot. Parl. cap. 4.

Item, at the prayer of the Commons: that for diverse considerations it is ordeyned, granted, and established by authority of this present Parliament, That our Sovereign Lord the King and his heires have perceibe and levy of all and every twenty shillings worth of all manner merchandize and wares brought into this land of Ireland by any person or persons to be sold within the same Land, twelve pence: and likewise to have levie and perceibe of everie twenty shillings worth of all manner merchandizes and wares after the price that they be bought within this land and to be carried out of the same to be sold by any manner person or persons beyond the Sea, twelve pence Wine and Oyle onely excepted. And by the same authority it is ordeyned and established, that no manner person or persons bring any manner merchandizes or wares aforesaid into this Land, break any bulk, or bring any wares out of any ship or ships till the same wares be entered in the Customers book by the merchant owner of the said wares or his attorney, or Purser of the said ship wherein the said wares be brought into this land, and that upon pain of forfeiture of the said wares so not entered in the Customers book in manner aforesaid, half to the King and the other half to the spier and finder of the same, And also in likewise that no manner person or persons which will carry over the Seas any wares or merchandizes out of this land, ship or put into any boat or ship the same wares or merchandizes till they be entered in the Customers booke of the same port and that upon pain of forfeiture of the same in manner aforesaid, Provided alway; that this Act extend, nor in any manner wise be prejudiciall or hurtfull to any free man of the Citie of Dublin, Waterford, ne of the town of Drogheda being free by birth or prentishood or marriage and dwelling within the said Citie and towne.

12. d. per
pound for
all wares
imported.

Statuta Ordin^{is} Provisiones & Actiones in quodam Parlamento Domini Regis, virtute commissionis & mandati dicti Domini Regis sub magno sigillo suo Angliæ apud Dublin, die Lunæ vicesimo quinto die Febr. anno regni Regis HENRICI Octavi septimo, coram charissimo consanguineo suo Geraldo

Comite Kildare deputato ipsius Domini Regis Dominiij atque terræ suæ Hiberniæ tento, edit. & ibidem diversi vicibus continuato ac similiter ibidem die Veneris, septimo die Martii, tunc proximo sequente usque diem Martis proximum post Festum Apostol. Petri & Pauli, ad tunc prox' sequent' prorog. & ibid' die Jovis prox' ante Fest' Sancti Michaelis Archang. similiter prorog. ac etiam die Jovis proximo post Festum Sancti Michaelis prædicti ibidem finito & terminato in hæc verba. *Anno Dom. 1517.*

An Act for and against such as sue Letters under the Privy Seal out of England.

Rot. Parl. cap. 5.

Such as procure the Kings Letters by seal to remove particular causes into England to find suerties to answer costs, damages, and expences.

PRAYEN the Commons, that whereas diverse persons of malice, by prepesed and surmised causes pursue the Kings private seales to compell the Kings Subjects of this his land of Ireland, to repair into England purposely to put them to cost and charge, for particular causes determinable in this Land, so as for the great labour and expences & default of English money, the Kings said subjects would give rather unto their adversaries their wills and pleasure, be their demands never so untrue, then to take the costs passing over the sea and returning: Therefore and in consideration that Judges and learned Officers here be ordained to minister justice betwixt party and party, according the order of our said soueraign Lord his laws: Be it enacted and established by authority of this present Parliament, That every person so bringing the Kings letters of private seale for particular causes against any of the Kings subjects here, shal at his hither coming find sufficient suerties in the Kings Chauncery here, to be bound by Recognisance that if the defend. at his apparance before the King and his Counsaill in England may there purge and acquit himself of the matter to him alleaged, that then the party plaintiff shal satisfie and recompence the said defendant, for his costs, damages, and expences sustained by such wrongfull veration.

Stat' Ordination' & Action' in quodam Parlamento apud *Dublin*, die Martis prox post Fest' Sanct' Petronillæ Virginis, viz. quarto die Junij, anno regni Regis HENRICI octavi, terdecimo, coram charissimo consang. nostro Thomæ Com' Surr. uno milit' ord' Garterij, Magno Admirallo Angl. Hib. Walliæ, Normand. Gasc. Aquitaniæ ac locum tenent. dicti Dom. Regis in terra sua Hiberniæ tent. edit. & ibid' quartodecimo die ejusd' mensis Junij usque quint' diem Augusti. tunc prox. sequent. prorog. & contin', & eod' quinto die Aug. ibid' prorog. & cont' usque vicesimum quintum diem Januarii tunc prox. sequent., & sic ibidem contin' usque vicesimum nonum diem ejusdem mensis Januarii. Et a dicto vices. nono die usque tertium decim' diem mensis Febr. tunc prox. sequent. prorog. & contin. Et sic usque decimum septimum diem ejusd. mensis Feb. prorog. & cont': Et a præd' xvij. die Feb: usque xxi. diem mensis Martij tunc prox. seq: simi.

fini. 2. b. p. 10. og. & cont. ac ib. eod. die finit. & cont. in hæc verba:

Anno Dom: 1522.

C A P. I.

An Act for burning of Corn as well in Recks in the Fields, as in Villages and Towns.

First prayen the Commons, that whereas many ill disposed persons for malice, evil will and displeasure, doe daily burne corn, as well in recks in the fields, as in villages and Townes, thinking that it is no felony, so that they should suffer death for no such burning: Therefore be it enacted by the authority of this present Parliament, That all wilful burning of recks of corn in fields & in townes, & burning of houses, of & upon any of the Kings true subjects, be high treason, & that like processe, iudgement & execution be awarded against the said evil doers or any of them as against anie that doe commit treason in any other maner, saving to the chiefe Lords of the soyles their eschetes.

Treason to burn houses or recks of Corn in fields.

C A P. II.

An Act against lading Woolls and Flocks.

Item, prayen the Commons, that whereas taking and lading of wooll and flockes out of this Land hath been the cause of dearth of cloth and idlenesse of many folkes, so that in default of labour and occupation of the same divers persons both men and women have faln to theft and other misgovernance, to the desolation and ruine of this poor Land as it doth dayly appear by experience: Therefore be it enacted by the authority of this present Parliament, That no person ne persons from henceforth lade ne take out of this land any wooll or flockes, upon pain of forfeiture of the double value of the same, the one half unto the King, and the other half to him that will sue therefore, and that it be lawfull to every man to sue for the same as well by action of debt as by information in any of the Kings courts, in which action of debt, the partie or parties defendants shall have none esloine, protection ne lawe to wager. And that it be lawfull unto all the Kings Justices of Peace that hereafter shall be made to enquire of the premises.

Against lading Woolls and Flocks
Ir. St. 28. H.
8. cap. 17.
Ir. St. 11. El.
cap. 10.

C A P. III.

An Act touching Jurors to pass in attaint:

Prayen the Commons, forasmuch as perjurie is often unpunished in this land of Ireland, by reason of false verdicts as well in reall actions as in personall actions, by reason whereof diverse persons against whom the said false verdicts have passed, be without remedy because that right few persons within the four shires where the Kings Lawes is occupied in this Land, have not sufficient Lands and tenements to pass in attaint, according unto the statutes in that behalf purveyed. Therefore be it enacted by the authority of this present Parliament, that any person or persons being seised of Lands, rents or tenements in possession or in use, unto the yearly value of ten marks above the charges in fee simple, fee taile, or for terme of life, copyhold, and auncient demeane. shall from henceforth pass in every attaint. Any act, statute, or ordinance to the contrary before this time notwithstanding. And the Judge or Judges before whom any attaint hereafter shall be sued, have full power, in case that the Jury of the said attaint should remain at any day for default of Jurors, to examin the Jurors appearing before them empanelled in any such attaint, after the discretion of the Judge or the Judges, whether there be more sufficient persons within the County or Franchise where any such attaint shall be sued, to make up the whole pannell of xiiii. Jurors. And if it appear unto the said Judge or Judges by tryall or examination of the said Jurors, that then doe appear, that their be not enough of sufficient persons, according to the effect of this act within the said

Ten Marks per annum freehold sufficient for a Jury in attaint.

county or fraunchise unreturned, that then the said Judge or Judges may incontinent award proceſs to the Sheriffe or other officer or officers of any County, libertie, or franchise next adioynning, as many Juroꝝ as ſhall need to be empanelled in the ſaid attaint, in like order and form, as if the ſherife or other officer of the ſhire, libertie or franchise, where the ſaid attaint ſhall be commenced, had returned ſpecially, that there were no moꝝ freholders ſufficient within his ſhire, unretourned, to paſs in the ſaid attaint. Provided that this act extend not but onely for falſe verdicts, to be given in time to come, where in attaints doe lye.

Stat' Ordination' & Action' in quod' Parliament' Dom' Regis virtute Commiſſ. & mandati Dom' Regis ſub magno ſigill' ſuo Angl', apud Dublin xix. die Maij, ann' Regni Regis HENRICI octavi vices. quinto, coram Geraldo Com' Kildare deputato præchariſſimi ac dilectiſſ. conſang. dicti Dom' Reg. Henr' Ducis Richmond & Somers. locumten' ipſius Dom' Regis terr' ſuæ Hibern. tent' & ibid' ulq; diem Jovis prox' ante feſt' Sancti Trinitat' tunc prox' ſequent. tenend', prorog. nec non ibid' ulq; diem Jovis prox. poſt feſtum Sancti Michaelis Archan. ſimil. tunc prox. ſequen. tenend. prorog', ac ibid' finito & terminato, edit, in hæc verba, Anno Dom. 1534.

C A P. I.

An Act for Lezers of Corn. Rott' Parl. ca. 1.

Lezers of
Corn.

Ir. St. 28 H.
8. cap. 24.

PRayen the Commons, that whereas many inconveniences within this land enſueth by reaſon that many & divers perſons, labourers ſtrong of bodie aſwell men as women falleth to idleneſſe will not labour for their living, but have their ſole reſpect to gathering and lezing of corn in harveſt time, and reſuſe to take mony for their wages, to rippe or binde corn, to the intent that the pooꝝ earth tillers ſhould give them Sheaves of Corn for their labour, by colour whereof they ſteal mens cornes, as well by night as by day, to the great hinderance and impoveriſhing of the pooꝝ earth tillers, and alſo by gibing of ſuch ſheaves the Church is defrauded of the tythe of the ſame. Wherefore be it ordeyned and eſtabliſhed by authority of this preſent Parliament, That from henceforth no perſon ne perſons being ſtrong of body to labour for their living ſhall gather or leze in any place in harveſt time, except it be in their owne fields, and no impotent perſons gather or leze in any other place ſaving in the ſame parochie where their dwelling is, and that no man from henceforth give ne take any corn in harveſt for ripping ne binding of corn. And if any perſon or perſons gather, leze or take any corn for their labour contrary to this act, that then it be lawfull to all & every perſon and perſons to take fro all and every ſuch gatherer, lezer or lezers, and other ſuch perſons as ſhall take corn for their labour in manner afoꝛſaid, all ſuch corn as they or any of them take or get by lezing as is afoꝛſaid, with all ſuch other ſtole corn as ſhall be gotten with them or any of them, as well within their houſes as without, the one halfe thereof to the Lord of the ſoyle where the ſame ſhall be found, and the other halfe to taker of the ſame.

C A P.

C A P. II

An Act for the uniting and appropriation of the Parsonage of Galtrim to the
 Priory of St. Peters by Trymme. *Rot. Parl. cap. 2. Session 3.*

AT the humble supplication of the Priour, and Cobent of the monastery or house of the Apostles Peter and Paul of the Newton besides Trymme: That where the advowson of the parochie Church of the blessed Virgin Mary of Galtrim within the county and diocesse of Meke, in the time of the famous Prince Edward the fourth late King of England, unto the monastery or house of the Apostles Peter and Paul of the Newton besides Trymme aforesaid, and to the Priour and Cobent of the same to hold, retain, and keep to them and their successors in proper use was appropriated, and so appropriated, did continue unto the four and twentieth year of the reign of our Sovereign Lord that now is Henry the eight King of England and of France, defendour of the faith, and Lord of this Land of Ireland, that one Nicholas Hulse, Baron of Galtrim aforesaid, in a Quare impedit, recovered the foresaid advowson against the Priour that now is of the said monastery or house, before the Justices of the Kings Common place in this Land of Ireland. The said Nicholas in his said action of Quare impedit, alleadging that the said advowson long before the said appropriation thereof was appendant to the manour of Galtrim aforesaid, which manour the said advowson thereto then being appendant was given by force of a remainder of a tail to one Peter Hulsev ancestor to the said Nicholas, whose heire the said Nicholas is, and to the heyres males of the said Peters bodie begotten, as by the said recovery more plainly doth appear. And for as much as the tythes of the Parsonage of Galtrim aforesaid, was that thing that the said house or monastery was most supported and kept up, and divine Service and hospitality maintained, and that the same house or monastery if it could not have the said parsonage thereto again appropriated was and is very like to be cleerly dissolved for as much as a great deal of the possessions that was given thereto at the foundation thereof, lyeth in the marches, and by reason of warr and oppression there is much wasted, sore decayed, and diminished, and the premisses of pity moving Sir William Skeffington then Lord Deputie of this land and the Counsaill of the same. at their desire, the said Nicholas Hulsev upon the said advowson did submit himself to such end, award, and order, as the said Lord Deputie, the most reverend father in God, John Archbishop of Dublin Primate of Ireland, and then Chauncellour of Ireland, Sir John Barnetwall Knight Lord of Trimletteston, and Thomas Luttrell then the Kings Sergeant at his lawes in Ireland, should take order and award therein, and the said arbiters by the assent of the said Priour and Nicholas thereupon did award, order and deem, that their should be a Vicar perpetuall, & for ever in the same church made, established, & ordeyned, having perpetuall succession, that shall have yearly to him and his successors Vicaries of the same Church for the time being, the whole mance or gleab of the parsonage or Church of Galtrim aforesaid, with four acres of arrable land, being within the same town of Galtrim thereto pertaining, with all other Lands and Tenements pertaining to the same being within the precinct, bounds and meares of the lands of the town of Galtrim aforesaid, the whole alterages, oblations, and offerings yearly of the Church and parochie of Galtrim aforesaid, the third part of all the tythe torbes of the said parochie, the whole tythes of corn and hay of all the Lands, mesuages, and tenements of clone-methe and such tythes yearly of corn, half wheat and beare, and

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the other half oates as ſhall be to the yearly value of eight markes of lawfull money of Ireland, of ſuch corn as ſhall grow or be in the fartheſt part of the land of the town of Galtrim aforeſaid, fro the houſe or monaſterie of Saint Peter and Paul aforeſaid, after the rate of fifteene ſhillings the couple of corn of the ſame tithe yearly: To have and to hold the ſame mance, glebe Lands, altereges, oblations, offerings, tythes, and all other the premilles with their appurtenances, to the ſaid Vicar and to his ſucceſſors for ever that ſo ſhall be there made, eſtabliſhed, and ordeyned. And that the advowſon of the parſonage of Galtrim aforeſaid with all other maner tythes, oblations, and alterages, chappels and freechappels, that partayneth to the ſame, except the premilles for the ſaid Vicar limited, at the coſtes of the ſaid Prior or his ſucceſſors after he or his ſucceſſors had obtained or gotten of our Sovereign Lord the King his heyres or ſucceſſors a ſufficient licence to take, accept, and appropriate the ſame advowſon to them and their ſucceſſors then ſhall be appropriated, united and annexed to the ſaid houſe or monaſtery of Saint Peter and Paul aforeſaid, and to the priour and covent, of the ſame, and their ſucceſſors for ever. To have and to hold, keep, and retaine the ſame to the ſaid Prior and Covent and to their ſucceſſors for ever in proper uſe in pure and perpetuall almes, to pray for the ſoules of his anteceſſors of the ſaid Nicholas, and for the proſperitie of the ſaid Nicholas and his heyres and ſequelle, for their ſoules after they paſſe this tranſitory life. And the ſaid Prior and Covent, and their ſucceſſors for ever ſhall bear, doe, keep, and pay, all ordinarie and extraordinary charges of and for the ſame church and parſonage of Galtrim, and all chappells and freechappels perteyning or belonging to the ſame, and ſhall diſcharge the ſaid vicar and his ſucceſſors thereof, the ſaid vicar and his ſucceſſors for ever, finding and keeping the cure of ſoules of the ſaid church of Galtrim, and to appeare and anſwere by himſelfe, or by his Curate, to ſundayes Chapters and conſiſtorie dayes, as a vicar ought to doe, and that upon his own proper coſtes.

And forasmuch as the ſaid Nicholas Huſſey hath no intereſt ne eſtate in the ſaid advowſon of the parſonage aforeſaid, but to him and to his heyres males of his body begotten, ſo that it is deſuſe and doubtful how to make a ſure and a perfit appropriation thereof, by the common law without Act of Parliament: In conſideration whereof, be it ordeined, eſtabliſhed, and enacted by this preſent Parliament, & by authority of the ſame, That the aforeſaid parſonage of Galtrim aforeſaid, with all Tythes, chappells and freechappells pertaining or belonging to the ſame, except ſuch parcels thereof as be ordred, deemed and awarded by the ſaid Arbytrours to be to the ſaid vicar and his ſucceſſors, as appeareth in the ſaid award be appropriated, united and annexed to the ſaid houſe or monaſterie aforeſaid, & to the prior and covent of the ſame, to have and to hold and poſſede, and retain in proper uſe the ſame parſonage, with all that thereto belongeth, except the fore excepted, to the ſame prior and Covent, and their ſucceſſors for ever. The ſaid Prior and his ſucceſſors bearing all ordinarie and extraordinary charges of and for the ſame, except ſuch charges thereof, as is limited to the ſaid Vicar by the ſaid award to beare and doe. The Act or Statute whereby it is ordeyned that no lands ne tenements ſhould not come or be giben to mortmain, or any other Act or Acts, Statute or Statutes, ordinance or reſtriction before this time made, ordeined, purveyed or enacted to the contrary of the premilles, or any part thereof notwithstanding.

Statuta, Ordinationes & Provisiones in quodam Parlamento illuſtriſſimi Principis & Domini noſtri Domini HENRICI octavi Dei gratia Anglie & Francie Regis, Fidei deſenſ. & Domini Hibernie, virtute commiſſionis & mandati dicti Domini regis ſub magno ſigillo ſuo Anglie apud Dublin die Lunæ primo die menſis Maij, anno regni ejuſdem domini Regis viceſimo octavo; coram dilecto & fideli ſuo domino Leonardo Gray Milite domino Gray, deputato iplius domini Regis ac præchariſſimi & dilectiſſimi conſanguinei ſui Henrici ducis Richmond & Somerſet de proſapia ſua orti, locumtenentis ſuæ Terræ & dominiij ſui Hibernie tento edit. Et abinde die Mercurij, videlicet ultimo die ejuſdem menſis Maij tunc proxim. ſequent. uſque diem Martis, videlicet viceſimum quintum diem Julij tunc prox. ſequent. ad villam de Kilkenni adjornat. & ibidem tent. & continuato ibidem die Mercurij, viz. viceſimo ſexto Julij uſque diem Veneris tunc proxim. ſequent. videl. viceſimum octavum diem ejuſdem menſis Julij tunc proxim. ſequent. ad villam de Caſhel adiornato & ibidem tent. & continuato. Et ibidem dicto die Veneris, videl. viceſimo octavo die dicti menſis Julij uſque diem Mercurij tunc prox. ſequent. viz. ſecundum diem Auguſti tunc proxim. ſequent. ad civitatem Limeric adjornato, & ibidem tent. & continuato. Et ibidem die Sabati, viz. decimo nono die ejuſdem menſis Auguſti uſque diem Veneris, viz. decimum quintum diem menſis Septembris tunc prox. ſequent. ad civitatem Dublin præd. adjornato, ibidem tent. & continuato. Et ibidem die Jovis, viz. viceſimo octavo die ejuſdem menſis Septembris uſque diem Sabati, viz. viceſimum diem Januarij tunc prox. ſequent. ad dict. civitat. Dublin prorogat. & ibidem tent. & continuato. Et ibidem die Martis, viz. quinto die Februarij tunc prox. ſequent. uſque diem Martis, viz. primum diem Maij tunc prox. ſequ. ad dict. civitatem Dublin prorogat. & ibidem tent. & continuato. Et ibidem die Martis, viz. octavo die Maij tunc prox. ſequent. uſque diem Veneris, viz. viceſimum diem Julij tunc prox. ſequent. ad dictam civitatem prorogat & ibidem tent. & continuato. Et ibidem die Sabati, viz. viceſimo primo die Julij tunc prox. ſequent. uſque diem Sabati, videl. tertiodecim. diem Octobris tunc prox. ſequent. ad dict. civitatem Dublin prorogato, & ibidem viceſimo die Decembris tunc prox. ſequent. finit. & terminato. Anno Dom. 1537.

C A P. I.

An Act for the Attainder of the Earl of Kildare and others.

W^{hereas} the Commons in this preſent Parliament aſſembled, that forasmuch as Gerald ſits Gerald late Earle of Kildare amongſt manifold & diſerſe enormities, abuſes, & offences contrary to his naturall duty of allegiance, attempted & committed againſt the crown, right, Maieſty and dignity of our natural and moſt dread ſoveraign Lord Henry the Eighth by the grace of God, King of England and of France, defender of the faith, and Lord of Ireland, and in earth ſupreme head of the Church of England, the xvi. yeare of his moſt noble reign, confedred and aſſented to and with one James late Earle of Deſmond, being openly proclaimed and publiſhed rebell and traytor againſt our ſaid ſoveraigne Lord, for that he the ſaid James ſhould ſend to the French king then enemy unto his grace, and at open war with him and his Dominions, to excite, provoke, and ſtir the ſame French king to ſend into this land of Ireland an army, for the taking of the ſame land out of our ſaid ſoveraigne Lords poſſeſſion, and notwithstanding that his Trayterous intent would not take effect, by reaſon of a peace that then immediatly was concluded betwixt our ſaid ſoveraigne Lord and the French king, he ſent unto the Emperour, provoking and intifiſing him to ſend an army into this ſaid land for the purpoſe aforeſaid. Our ſoveraigne Lord the king having privie intelligence thereof, willed ſecretly the ſaid Earle of Kildare, then being his graces Deputy of his land of Ireland, to apprehend and take the ſaid James Earle of Deſmond, The ſame Earle of Kildare, ſaſpy and trayterouſly admoniſhed the ſaid James thereof, willing him to come to

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no place where he the same Earle of Kylbare should be or have any power upon him. And being of this and diverse other offences, remitted and pardoned by our said Sovereign Lord the King, afterward, Sojourning at Newington in the County of Middlesex, within the realm of England, the eight day of July, in the twentieth yeare of the Reigne of our said Sovereign Lord, willed and commanded his Daughter Elice sitz Gerald wife to the Baron of Slane, to repaire into this the Kings land of Ireland, and in his name to will all his brethren O Neyle, O Conor and all other his friends, servants and allies, to levy, erect, stir and rear war against our said Sovereign Lords Deputy and subiects, falsly and Trayterously against his dutie of allegiance, which she accomplished accordingly, by occasion whereof, the persons aforesaid falsly and trayterously made insurrection against our said Sovereign Lord and his Deputy, by invasion and burning, killing, Murthering and robbing his true obedient Subiects, not desisting from the same their Trayterous Acts untill they were by force repressed by the puissance and power of our said Sovereign Lord. And notwithstanding his grace of mercy and pity remitted and pardoned, the said Earle of Kylbare that his Trayterous conspiracies and offences, the same Earle the xiiii. yeare of our said Sovereign Lord, falsly and trayterously, contrary to the Lawes and Statutes of this Land of Ireland and his allegiance, not onely permitted and suffered O Neyle the Kings Irish enemy to invade and destroy the county of Wriell within the said land, without any resistance made therein by himselfe being the Kings Deputie. having the governance custodie and charge of the same, or any other for him, but having his brother Sir John in company with the said O Neyle, by his commandement, to succour and guide, ayde and conduct the said O Neyle in that his trayterous enterpryse, but also in his owne proper person invaded the county of Kylkenney, there burning and destroying the same, rylsing and robbing the Kings Subiectes aswell there as at the Fair of Criffeldermot, crying havocke upon the Kings Subiects which thither were resorted, caused them in his owne presence to be spoiled and robbed of their goods, and divers of them murdered most cruelly and trayterously. Our said Sovereign Lord having notice of this and other his treasons, haynous offences, murders and extortions by him committed, and willing the reformation of the said land, and the relief and comfort of his Subiects there, addressed his most gracious letters to the said Earle of Kylbare then being Deputie, Lieutenant of his said land, commanding him by the same to repayre to his highnesse presence into his Realm of England, leavynge such a person for the furniture of his Realm and governance of the said land in his absence, for whose doings he would answer. That notwithstanding at his said departure into England, he admitted and instituted in his place for the governance of the Kings said land and subiects as vicedeputy, not onely his son and heyr named Thomas sitz Gerald, but also contrary to the Kings express commandement, declared unto the said Earle by John Alen master of the Rolls, and one of the Kings most honourable Counsaill, in the presence of the Bishop of Metch and the Prior of Saint Johns Jerusalem in Ireland, he conveyed out of the Kings Castell of Dublin all his Graces Gunnes, powder, shot, bowes, arrowes, caltrops, bills, and all other the Kings artillerie and munitions of war, garnishing and furnishing his owne Castles and fortresses with the same, and delibering part therof to wilde Irish men being the Kings mortall enemies. After whose departure into Eng-

land.

land he at his thither coming perceiuing upon the manifestation of his offences, that the Kings maiestie intended to remoue him from the governance of the said land, such persons as were known to be chief of counsaile with the said Earl, and under him had not onely the governance of his said son, seruaunts and people, with the custodie of his substance and goods, but also of all his lands, manors, castles and garisons, aswell counsailed the said Thomas fitz Gerald to rebell against our said Sovereign Lord as for the maintenance of him therein, delibered unto him the said Earls goods, substance, manors, lands castles and garisons, together with the Kings said ordnance and artillerie. Whereupon the said Thomas fitz Gerald immediately being assisted and ayded by his fathers brethren, kinsmen, seruaunts, and follovers, falsly and trayterously rebelled against our said Sovereign Lord, refusing and disobeying all commandments of his Grace and his counsaile concluded and determined most cruelly to murder, put to death, and exile all those that were resiant within the land being born within the Realm of England, and to conquer and take the same from the possession of our said Sovereign Lord and his heyres, rebiling his Grace with most shamefull and detestable infamies and for the accomplishment of his trayterous purpose, did send his letters addressed aswell to the Bishop of Rome, as the Emperour, by one Cale mac Grauyll, otherwise called Charles Raynolde Archdeacon of Kelles, for to have their ayd against our said Sovereign Lord and his heyres, for the winning of the said land of Ireland out of their possession, & he to hold the same of them for ever. And among other his most detestable abominations, he procured and commaunded John Teling, and Nicholas Maister of Dublin, yeomen, seruaunts to the said Earl of Kylmore, to apprehend and take the most reverend father in God John Allen, Archbishop of Dublin and Primate of Ireland, and one of the Kings most honourable counsaile, and him to keep in prison at Cartayne within the County of Dublin, and the said Thomas fitz Gerald, the xxviii. day of July in the xxvii. year of the raigne of our said Sovereign Lord King Henry the eight, accompanied with the most false disloyall traytour James Delahyde. Sir John fitz Gerald, Oliver fitz Gerald, brethren to the said Earl, and divers other of the same Earls seruaunts, caused the same Archbishop to be drawn out of his bed and brought before him. And the same Archbishop kneeling in his shirt bare footed and bare headed before him, asking of him mercy, immediately without any respite, most shamefully and trayterously murdered and killed out of hand, and also caused the said Archbishops seruaunts, and as many other Englishmen as he could find within the land, to be murdered. And after this accompanied with the said James Delahyde being principall counsaile to him in all his doings, John Delahyde, Edward fitz Gerald, Sir Richard Walsh Parson of Loughsewdie, John Burnel of Balgriffen, Edward Rowks, James Field, Seruaunts, alies and diverse others his fauours and adherents, too long here to be expessed, with weapons inbasive after the maner of war arrayed, and with banners displayed falsly and trayterously invaded the Kings dominion, encamping themselves within the same, there robbing, rissing, murdering and destroying diverse the Kings subiects, constraining all men to give an oath of obedience unto him, and to take his part against the king and his heyres in his said false, trayterous and disloyall purposes and intents, and not herewith contented, but accompanied, with O Neyle, diverse Scots, the persons aforesaid and many others

thers, invaded, brent and destroyed the lands of the Earle of Olforie & the Lord Butteler his sonne, & of others the Kings Subiects within the county of Kilkenny, murdered divers of the Kings Subiects there, for that the said Earle and his son tooke the Kings part against him who offered unto them to divide and give to them half the land of Ireland, to refuse the King, trusting by such his cruell persecutions, to constrain them to encline to his purpose. And further, amongst other his most false trayterous acts accompanied with O Connor, William Bathe of Dullardeston, Christopher Eustace of Ballycutlane, and divers others besieged the Kings citie and castle of Dublin, intending to take the same, out of the Kings possession, and to murder the Kings Subiects within the same, and thereof to disenherite our said Soberagin Lord and his heyres for ever. And semblably not only fortified and manned divers ships at Sea, for keeping and letting, destroying and taking the Kings Deputie, army and subiects, that they should not land within the said land, but also at the arrivall of the said army, the same Thomas accompanied with the said Earles brethren, his uncles servants and adherents followers, James Delahyde, John Delahyde, John Burnell of Balgriffen, with divers others, too long here to be exprested, falsly and trayterously assembled themselves together upon the Sea coast for the keeping and resisting of the Kings Deputie and army and destroying of them, and the same time, they shamefully murdered divers of the said army coming to land. And Edward Bowkes Pyrate at the Sea, Captain to the said Thomas and James Field, destroyed and took many of them. In consideration whereof, and other abominable treasons, and offences committed against our said Sovereign Lord, his right, crown and Majestie, and dignitie, by the said Gerald Earle of Kildare, Thomas fitz Gerald, James Delahyde, and other their aydoers, comforters, counsaillers and maintainers, and in detestation of their abomination, tyrannie, falshood and crueltie: Be it enacted, ordained and established by the King our Sovereign Lord, the Lords spiritual and temporal, and the Commons in this present Parliament assembled, and by authority of the same, that the same Gerald fitz Gerald Earle of Kildare late deceased, from the eight day of July in the twentieth year of our Sovereign Lord the King that now is, be deemed, reputed, convicted, adjudged and attainted traytour of high treason, and that he and his heyres shall lose and forfeit the title and name of Earle of Kildare, and shall also forfeit to our said Sovereign Lord and his heyres for ever, all honors, castles: manors, Lordships, lectures, franchises, hundreds, liberties, priviledges, advowsons, nominations, foundations, presentations, patronages, knights fees, lands, tenements, rents, services, reversiones, remainders, portions, annuities, pensions, offices, & all other hereditaments & profits whatsoever they be, whereof he the said Gerald Earle by himself, or joyntly with any other or any other or others to his use & behoof were seized the said eight day of July, or any time after within the land of Ireland in fee simple or in fee tail, or in which the said Gerald late Earle of Kildare, or any other to his use had the said eight day of July, or any time after lawful cause of entre within the land of Ireland. And over that the said Earle lose and forfeit to the King our Sovereign Lord, aswell all maner of such estates of freehold in use or in possession to his use and interest, for yeares of all manors, castles, honors, lands, tenements, tythes, oblations, and all other profits, as all other his goods, cattals, debts, dueties, wards, marriages, relieves, and all other

other profit whatsover they be, whereof the said Earl, or any other or others to his use or behoof, were seised or possessed the xxvi. day of June, in the xxvi. year of the reign of our Sovereign Lord, or any time thence, of which goods, cattels, debts and duties, any sale, gift or payment without any fraud, deceit or collusion have not been made to or by the said Earl. Provided alway, and also be it enacted by the authority aforesaid, that all such person or persons which have been farmers, occupiers, tenants, receivers, bayliffs, stewards, servants, and all other officers of the said Earl, of the said honors, castles, manors, lordships, lands, tenements, and all other the premises, and every parcel thereof at any time thence the eight day of July in the twentieth year of our said Sovereign Lord, unto the first day of February in the xxv. year of his Graces reign, shall be discharged and acquitted against the King our said Sovereign Lord, his heirs and successors, of and for all such rents, issues, revenues, and all other profits of the said manors, honors, castles, and all other the premises, or any part or parcel thereof, which they or any of them have payed or delivered, or cause to be payed or delivered unto the said Earl of Kyldare, or any other or others by his assignment or commandment at any time before the said first day of February. And semblably, be it established, ordeyned and enacted by authority aforesaid, that the said Thomas fitz Gerald, son and heir of the said Earl, Sir John fitz Gerald, Oliver fitz Gerald, Uncles to the said Thomas, James Delahyde son and heir of Sir Walter Delahyde of Moyclare Knight, John Delahyde, Edward Delahyde Parson of Kilbery, sons to the said Sir Walter, John Burnel of Balgriffen Esq; Sir Richard Walsh Parson of Loughliewdie, Chale mac Graupll, otherwise called Charles Reynold, Clerk, late Archdeacon of Kells, James Gernon son and heir of Patrick Gernon of Gernouffon, Christopher Parese son and heir to William Parese of Agher, Piers Walsh son to Walter Walsh, Robert Walsh and Maurice Walsh, sons to William Walsh late of Ciccroghan, Edward Rowks yeoman, and every of them be deemed, reputed, convicted, adjudged, and attainted traitors of high treason, and that the said Thomas, James Delahyde, John Delahyde, Edward Delahyde, John Burnell, Richard Charles, James Gernon, Piers, Robert Maurice, and Edward Rowkes, shall suffer such execution and pains of death, as in cases of high treason hath been accustomed. And that they, and also the said Christopher Parese, John in Gilsenan late of Ballymon, which are dead, and every of them, forfeit to our Sovereign Lord the King, his heirs and successors for ever, all honors, castles, manors, lordships, hundreds, lates, franchises, liberties, privileges, advowsons, foundations, nominations, patronages, presentations, knights fees, lands, tenements, rents, services, reversions, remainders, portions, annuities, pensions, offices, and all other hereditaments and profits whatsover they be, whereof they or any of them, or any other or others, to their use and behalf, or to the use and behoof of any of them were seised the xxv. day of July, in the xxvi. year of the reign of our said Sovereign Lord King Henry the eight, or any time after within the land of Ireland in fee simple or fee tail, or into which any of them had then or any time after lawful cause of entre within the Land of Ireland. And over that, they and every of them do forfeit and lose to our said Sovereign Lord the King, aswell all maner such estates of freehold and interest for years of lands, tenements, tythes, oblations, and all other profits, as all goods, cattels, debts, duties, wards, marriages, and reliefs. and all other profits whatsover they be, whereof they or any of them, or any other

or others to their use and behoof, or to the use and behoof of any of them, were seised or possessed the said xxv. day of July the said xxvi. year, or any time sithence, whereof any sale, gift or payment without any fraud, deceit or collusion, have not be made to or by them or any of them. And over that, be it enacted, authorized and established by authority aforesaid, that after the death of the auncellours of any of the said persons, or any other by whom immediately they or any of them mought have had, any uses, lands, tenements, and other hereditaments in use by discent, remainder or reverter or otherwise, the first day of April in the xxv. year of our said Sovereign Lords reign, all honours, castles, manors, lordships, uses, hundreds, franchises, liberties, privileges, advowsons, nominations, presentations, knights fees, lands, tenements, rents, services, reversions, remainders, portions, annuities, pensions, offices, possessions, hereditaments, and all other profits whatsoever they be, that they or any of them mought have had immediately in use, by discent, remainder, reverter, entre, lawful or otherwise in fee simple, or in fee tail, the said first day of April, in the said xxv. year, if their auncellours or the auncellours of any of them, or any other, by whom they or any of them might have had in use by discent, remainder, reverter, entre, lawful, or otherwise the premises, or any part thereof then had departed this present transitory life, be forfeit to our said Sovereign Lord, his heirs and successors for ever. And that our Sovereign Lord the King, his heirs and successors, immediately after the death of the said auncellours or any of them, or any other by whom immediately they mought have any uses, lands, tenements, and other hereditaments, in manner and form as is aforesaid, shall enter and enjoy all the said honours, castles, manors, lordships, lands, tenements, and all other the premises, to have and to hold to our said Sovereign Lord, his heirs and successors for ever. And be it further enacted by authority aforesaid, that aswell all such persons, which sithence the Feast of all Saints, in the year of our Lord God a thousand five hundred thirty four, by the course of the Kings laws within this land, have been within this land convicted attainted of treason, as all others which at any time hereafter shall chaunce within the same to be convicted or attainted of high treason, within the space of thre years next following the first day of this present Parliament, forfeit and lose to our said Sovereign Lord the King and his heirs, all honours, castles, manors, lordships, leetes, hundreds, franchises, liberties, privileges, advowsons, nominations, foundations, patronages, presentations, knights fees, lands, tenements, rents, services, reversions, remainders, portions, annuities, pensions, offices, and all other hereditaments, profits, whatsoever they be, that they or any of them, or any other or others to their use and behoof, or to the use and behoof of any of them were seised the several dayes of their several treasons, offences and trespasses by them committed and done, or any time after to be committed and done, within the land of Ireland in fee simple or in fee tayl, or into which any of them had then or any time after lawful cause of entre within this land of Ireland, and also lose and forfeit to our said Sovereign Lord, as well all such estates of freehold and interest for years, of lands and tenements, tythes, oblations, and other profits as all goods, cattels, debts, wards, and all other profits whatsoever they be, whereof they or any of them, or any other or others, to their use, or to the use of any of them, were seised or possessed at the time of conviction or attainder of any such offences, whereof any sale, gift, or payment without any fraud, deceit, or collusion had not been made

to or by them or any of them. Saving alwayes to every person or persons and bodies politique, their heyrs, assignes, and successors, and every of them, other than such persons, their heyrs, successors, feoffees, recoverers, conusees, and assignes, and the heirs, successors, feoffees, recoverers, conusees, and assignes, of every of them, which by this present act be attainted, or sithence the feast of All Saints, the year of our Lord God 1534. have bin attainted, or hereafter within the said thre years shall be attainted, and their heyrs and successors, and all other claiming to their uses, or to the use of any of them, all such conditions, rents, commons, which they or any of them shall happen to have in or upon any such manors, lands, tenements, and any other hereditaments, that hath ben or so shall happen to be lost or forfeited by reason of this Act, or by reason of attainder of any of the persons by the same attainted, sithence the feast of All Saints, the year of our Lord God 1534. have ben attainted for any treason or other offence, at any time before the said treasons and offences committed. And also saving alwayes to every person and persons, their heyrs, assigns, and successors, and every of them, other then such persons, their heyrs, successors and assigns, and the heirs, successors and assigns of every of them which by this present Act be attainted, or sithence the feast of All Saints, the year of our Lord God 1534. have ben attainted, or hereafter within the said thre years shall be attainted, and their heyrs and successors, and all other claiming to their uses, or to the use of any of them, all such right, title, use, interest, possession, condition, rents, charges, fees, offices, annuities, commons, which they or any of them shall happen to have, into, and upon any such manors, lands, tenements, and any other hereditaments, that so shall happen to be lost, and forfeited, by reason of the attainder of any person or persons, at any time after the twentieth day of June the xxvii. year of the reign of our said Sovereign Lord the King. within the said thre years, other then such persons, their heyrs, successors and assignes, and the heyrs, successors and assignes of every of them, which by this present Act be or shall be attainted, shall chaunce or fortune to be attainted for any treason, or other offence at any time before the said treasons and offences committed. Provided also, and be it enacted by authority aforesaid, That if the said persons or any of them, which by this present Act be attainted, or sithence the said feast of All Saints before specified, have ben attainted, or that hereafter within the said three yeares shall chance to be attainted of high treason, or within the said three years, chaunce to be sole seysed or possessed, or joyntly seised or possessed with any other or others, to the use of any other person or persons, body or bodies politike, other then any such person or persons that by this present act be attainted, or sithence the feast of all Saints before specified, have bene attained, or that hereafter within the said thre years chance to be attained of any manors, meases. lands, tenements, and all other hereditaments, that the said manors, meases, landes, tenements, and other hereditaments, be not forfeit to our said Sovereign Lord ne his heyres, ne seisable, ne seised into the hands of our said Sovereign Lord ne his heirs, so that the said use being in the said other person, or persons, and bodies politique, be not conveyed from any of the said persons attainted or to be attainted in form aforesaid sithence or after the day of the offences. And that it shall be lawfull to every such person and persons, body and bodies politique, their heires successors and assignes, that be not, ne hereafter within the said thre yeares shall be attainted of high treason as is aforesaid, to enter and

seise as well upon the possession of the King, as any other person in the said manors, meases, lands, tenements, and all other hereditaments, and them to have, hold, occupy and enjoy the possession according to such estate and interest, as they had in the said use of the same, in such form. as if no such attainder had not been had nor within the said three yeares should fortune to be. And moreover, be it enacted and ordeyned by the said authority, that every of the wives of any of the said persons now living, by this act attainted and unhabled, and every such woman, such as was the wife of any of the said persons now dead and were convicted and attainted of treason, or at any time hereafter shall be attainted or convicted of treason, be put to execution for the same, by this act unhabled freely enjoy, have and possess after the death of her husband, all her own inheritance to her and to her heyres other then be attainted or convicted, or hereafter at any time during the said three yeares. shall be convicted or attainted, and unhabled by this Act, and all castles, manors, lands, tenements, and all other the premises, whereof they the several dayes of their husbands treasons and offences, committed and done, or to be committed and done in any wise, were or shall be seysed or possessed in her own right estate or possession, or of which any person or persons, were or shall be seised or possessed, to the use of every of the said women and her husband, and after the form and maner, and in like estate, as they or any of them were or shall be entitled to the same, at the several dayes of their treasons and offences, committed and done, or at any time hereafter to be committed and done. So that the said right, estate, possession, use or inheritance of the said wife or wives last before rehearsed, be not growne to them or any of them by the act or consent of any of their said husbands, sithence or after the day of their several treasons done or to be done, and that during the said estate, be not seisable ne seised by this act into the Kings handes, nor the King to be answered of any issues or profits of any part thereof, after the deaths of their said several husbands, the said estate during. And that it be lawfull to every of the said wives and women, and every of their heyres not convicted, ne attainted, nor at any time hereafter shall be convicted or attainted and unhabled by this Act, and to everie other person or persons seised to the use of the said women, and their husbands, and their heirs to enter into the said castles, manors, Lordships and other the premises, and everie of them, into whose possession soever they be seised or come as well upon the possession of the King, or upon the possession of every other person or persons, by this Act not attainted nor unhabled, and them and every of them, hold and enjoy to her and her heirs not attainted nor convicted, nor at any time hereafter shall be convicted or attainted, ne unhabled by this Act according to her or their title, right, and interest in the same, in such form and condition, as if this said attainder had never been had. And be it further enacted by the authority aforesaid, That no manors, meases, lands, tenements, rents reversiones, services, ne any other hereditaments, whereof any person or persons, bodie or bodie politique or incorporate was disseised or expelled for at any time by any of the aforesaid traytours, or any other person or persons whatsoever he or they be sithence the first day of February, the year of our Lord God 1534. shall be forfeited unto our said Sovereign Lord the King, his heyres or successors, ne seised or seisable in his or their hands, ne that this Act nor any thing therein contained, in any wise be prejudicial or hurtful to any such person or persons, body or bodie politique or incorporate, so disseised or expelled,

The Earl of
 Rutland his
 Brother
 and Sisters
 restored to
 their blood
 Ir. St. 11
 Eliza p. 12.

ne this ſame Act or any thing therein containd, extend to any ſuch manors, meſſes, lands, tenements, rents, reverſions, ſervices, or other hereditaments ſo had by diſſeiſen or expulſement, ſithence the ſaid firſt day of February.

C A P. I I.

An Act for the ſucceſſion of the King and Queen Anne.

In their moſt humble wiſe ſhewen unto your Maieſtie, your moſt humble and obedient ſubjects, the Lords ſpiritual and temporal and the Commons in this preſent Parliament aſſembled in your land of Ireland, That ſithence it is the natural inclination of every man gladly and willingly to provide for the ſuertie of both his title and ſucceſſion, although it toucheth his onely priuate cauſe: We therefore moſt rightfull and dreadful Soberaign Lord: reckon our ſelves much more bounden to beſech and inſtant your highneſſe, although we doubt not of your Princely heart and wiſdom mixed with natural affection to the ſame, to foreſee and provide for the perfect ſuertie of both you and your moſt lawfull ſucceſſion and heyres, upon which dependeth all our joy and wealth, in whom alſo is united and knit the onely meer true inheritance and title of this Realm, without any contradiction. Wherefore we your ſaid moſt humble and obedient ſubjects in this preſent Parliament aſſembled, calling to our remembrance the great diſſentions which in time paſt have been by reaſon of ſeverall titles pretended to the imperial Croon of the Realm of England whereunto this your land of Ireland is appending and belonging, which ſome times, and for the moſt part cauſed the occaſion of ambiguitie and doubts then not ſo perfectly declared, but that men might upon forward intents, expound them to every mans ſiniſter appetite and affection after their ſence, contrary to the right legalitie of the ſucceſſion and poſteritie of the lawful Kings and Emperours of the ſaid Realm of England, and of this land of Ireland, whereof hath enſued great effuſion and deſtruction of mans bloud, as well of a great number of the Nobles, as of other the ſubjects, and ſpecially inheritours of the ſame. And the greateſt occaſion thereof hath been, becauſe no perfect and ſubſtantial provision hath been made, when doubts and queſtions have beene moved and propoſed of the certainty and legalitie of the ſucceſſion and poſterity of the Croon: by reaſon whereof the Biſhop of Rome and the See Apoſtolique. contrary to the great and inviolable graunts of jurisdictions, given by God immediately to Emperours, Kings and Princes in ſucceſſion to their heyres, hath preſumed in times paſt to inveſt who ſhould pleaſe them to inherit in other mens Kingdomes and dominions. Which thing, we your moſt humble ſubjects, both ſpiritual and temporal doe moſt abhor and deteſt. And ſometime other forrein princes and poſtulates of ſundry degrees, minding rather deſſention and diſcord, to continue as well in the ſaid Realm of England, as in your ſaid land of Ireland, to the utter deſolation thereof, then charitie, equitie, or unitie, have many times ſupported wrong tales, whereby they mought the more eaſie and facile aſpire to the ſuperioritie of the ſame; the continuance and ſufferance whereof deeply conſidered, and pondered, were too dangerous and perilous to be ſuffered any longer, and to much contrary to the unity, peace, and tranquillitie of the ſaid Realm of England, and of this your ſaid land of Ireland, being greatly reproachable and diſhonourable to the ſaid whole Realm and land. In conſideration whereof your ſaid moſt humble and obedient ſubjects the Nobles and commons in this your ſaid land of Ireland, conſidering that there is a good Act

The ſucceſſion of the King and Queen Anne.

Severall titles have been pretended to the Imperial Croon of England.

The marriage of Henry the ſecond with the Princeſſe Katherine his brother Arthurs wife, againſt the laws of God; therefore made void. ſhe to be called onely Dowage to Prince Arthur.

The ſeparation made by the Archbiſhop of Canterbury, confirmed by the whole clergy, and divers Universities.

made within the Realm of England for the ſuertie of your highneſſe, and your ſucceſſion in the imperial Crowne of the ſame. And calling further to their remembrance that the good unitie, peace, and wealth of the ſaid Realm of England and of this land, and the ſucceſſion of the ſame moſt ſpecially and principally abobe all worldly things, conſiſteth and reſteth in the certainty and ſurety of the procreation of poſterity of your highneſſe, in whoſe moſt Royall perſon at this preſent time, is no maner of doubt nor queſtion: Do therefore much humbly beſeech your highneſſe, that it may pleaſe your Maieſty, that it may be enacted by your highneſſe, with the aſſent of the Lords ſpiritual and temporal, and the commons in this preſent Parliament aſſembled, and by authority of the ſame, That the marriage heretofore ſolempniſed between your highneſſe, and the Lady Katherine, being before lawful wife to Prince Arthur your elder brother, which by him carnally known, as doth daily appear by ſufficient prooſe in a lawful proceſſe had and made before Thomas, by the ſufferance of God, now Archbiſhop of Canterbury and Metropolitane and Primate of all the ſame Realm of England, ſhall be by the authority of this preſent Parliament definitively, cleerly and abſolutely declared, deemed and adjudged to be againſt the laws of Almighty God, and alſo accepted, reputed and taken of no value ne effect but utterly void and adnihilated. And the ſeparation thereof made by the ſaid Archbiſhop, ſhall be good and effectual to all intents and purpoſes, any licence, diſpenſation or any other Act or Acts, going afore or enſuing the ſame or to the contrary thereof in any wiſe notwithstanding, And that every ſuch licence, diſpenſation, Act or Acts, thing or things heretofore had, made, done, or to be done to the contrary thereof ſhall be void and of none effect. And that the ſaid Lady Katharine, from henceforth ſhall be called and reputed, onely Dowage to Prince Arthur and not Queen of the ſaid Realm of England, nor Lady of this land of Ireland. And that the lawful matrimony had and ſolempniſed between your highneſſe and your moſt dear and entirely beloved wife Queen Anne, ſhall be eſtabliſhed and taken for undoubtful, true ſincere, and perfect ever hereafter, according to the juſt judgement of the ſaid Thomas Archbiſhop of Canterbury, Metropolitane and Primate of all the ſaid Realm of England, whole grounds or judgments have ben confirmed aſwell by the whole clergie of the ſame Realm in both the convocaions, and by both the Universities thereof, as by the Universities of Bonony, Padua, Paris, Orleans, Choulouſe, Angewo, and diſerſe others, and alſo by the private writing of many right excellent well learned men. Which grounds ſo confirmed, and judgement of the ſaid Archbiſhop enſuing the ſame, with your marriage ſolempniſed between your highneſſe and your ſaid lawful wife Queen Anne: we your ſaid ſubjects both ſpiritual & temporal of this your land of Ireland do purely, plainly, conſtantly, & firmly accept, approve. and ratifie for good and conſonant to the laws of Almighty God without error or default, moſt humbly beſeeching your Maieſty, that it may be eſtabliſhed for ever by your moſt gracious royal aſſent. And furthermore, ſithence many inconveniences have fallen, aſwel within this your ſaid land of Ireland, as in others by reaſon of marying within the degrees of marriage prohibited by Gods Law, that is to ſay, the ſon to marry the mother or the ſtepmother, the brother the ſiſter, the father his ſonnes daughter or his daughters daughter, or the ſon to marry the daughter of his father, procreate and born by his ſtepmother, or the ſon to marry his aunt being his fathers or mothers ſiſter, or to marry his uncles wiſe, or the father to marry his ſons

sonnes wife or the brother to marry the brothers wife, or any man to marry his wifes daughter, or his wifes sons daughter, or his wifes daughters daughter, or his wifes sister, which marriages, albeit they be plainly prohibited and detested by the lawes of God, yet nevertheless at some times they have proceeded under colours of dispensations by mans power, which is but usurped, and of right ought not to be graunted, admitted or allowed: for no man of what estate, degree, or condition soever he be, hath power to dispence with Gods lawes as all the clergie of the said Realm of England in the said convocations and the most part of all the famous Universities of Chriffendome, and we also doe affirm and think. Be it therefore enacted by authority aforesaid, That no person or persons subjects or resiants of this your said Land of Ireland of what estate, degree or dignity soever they be, shall from henceforth marry within any of the said degrees afore rehearsed, what pretence soever shall be made to the contrary thereof, and in case any person or persons of what estate, dignity, degree or condition soever they be, hath ben heretofore married within this your said land of Ireland, within any the degrees above expressed, and by any the Archbishops, Bishops or ministers of the Church of this your said land of Ireland be separate from the bands of such unlawfull marriage, that then every such separation, shall be good, lawfull, firm and permanent for ever and not by any power, authority or means, to be reboked or undone hereafter. And that the children proceeding or procreate under such unlawful marriage shall not be lawfull, ne legitimate, any forrein lawes, licences, dispensation or other thing or things to the contrary there of notwithstanding; and in case there be any person or persons, within this your said land of Ireland already married within any the said degrees above specified, and not yet separate from the bands of such unlawful marriage, that then every such person so unlawfully married, shall be separated by the definitive sentence, and iudgment of the Archbishops, Bishops, or other ministers of the Church of this your said land of Ireland, within the limits of their jurisdictions and authorities, and by none other power or authority. And that all other sentences and judgements, given and to be given by any Archbishop, Bishop or other minister of the Church of this your said land, within the limits of their jurisdictions and authority, shall be definitive, firm, good and effectual to all intents and purposes, and be observed and obeyed without suing any probocation, appeals, or prohibitions or other process from the Court of Rome, to the derogation thereof. And also be it enacted by authority aforesaid, That all the issue had and procreate or hereafter to be had or procreate between your highness and your most deer and entirely beloved wife Queen Anne, shall be your lawfull children, and be inheritable, and inherit according to the course of inheritance and law of the said realm of England, aswell the imperial crown of the said Realm of England, as this your said land of Ireland, with all dignities, honors, preheminences, prerogatives, authorities, and jurisdictions to the same annexed, or belonging in as large maner as your highness at this present time hath the same as King of the said Realm, and Lord of this your said land of Ireland; the inheritance thereof to be and remain to your said children and right heirs, in manner and form as hereafter shall be declared, that is to say, First the said imperial crown and other the premises shall be to your Majestie and to your heyres of your body lawfully begotten, that is to say, the first sonne of your body between your highness and your said lawfull wife Queen Anne begotten, and to the heyres of the

Within what degrees marriages ought not to be.

Power of dispensation usurped. No man hath power to dispence with Gods lawes.

The children procreated under such unlawful marriage, illegitimate.

Separation to be made within the limits and jurisdiction of the Church of Ireland.

The issue of M. Anne to inherit England and Ireland.

Viz. the first son of the body of H. 8. and M. Anne, & the heyres of the body of such first son.

For default
of iſſue male
to the iſſue
female.
Viz. to El-
izabeth now
Princeſſe, &
to the heirs
of her body
lawfully be-
gotten.

High trea-
ſon to do
ny thing
that may
diſturb the
heirs abov-
ſaid in body
or in title.

body of the ſaid firſt ſon lawfully begotten, and for default of ſuch
heires, then to the ſecond ſon of your body & of the body of the ſaid Queen
Anne begotten, & to the heires of the body of the ſaid ſecond ſon lawfully
begotten and ſo to every ſon of your body, and of the body of the ſaid
Queen Anne begotten, and to the heires of the body of every ſuch ſon
begotten, according to the courſe of inheritance in that behalf. And
if it ſhall happen your ſaid dear and entirely beloved wiſe Queen Anne
to deceaſe without iſſue male, of the body of your highneſſe to be be-
gotten (which God defend) then the ſame imperiall crown, and all
other the premiſſes to be to your Maieſtie as is aforeſaid, and to the
ſon and heire male of your body lawfully begotten, and to the heires
of the body of the ſame ſon and heir male lawfully begotten, and for
default of ſuch iſſue, then to your ſecond ſon lawfully begotten, and
ſo from ſon and heire male to ſon and heire male, and to the heires
of the ſeverall bodies of every ſuch ſon and heire male to be begotten ac-
cording to the courſe of inheritance in like maner and form as it is a-
foreſaid, and for default of ſuch ſons of your body begotten, and of the
heires of the ſeverall bodies of every ſuch ſons lawfully begotten, that
then the ſaid imperial crown and other the premiſſes ſhall be to the
iſſue female between your Maieſtie and your ſaid moſt dear and en-
tirely beloved wiſe Queen Anne begotten, that is to ſay, firſt the eldeſt
iſſue female, which is the Lady Elizabeth now princeſſe, and to the heires
of her body lawfully begotten, and for default of ſuch iſſue then to the
ſecond iſſue female, & to the heires of her body lawfully begotten, and ſo
from iſſue female to iſſue female, and to the heires of their bodies one
after another by courſe of inheritance according to their ages, as
the Crown of England hath been accuſtomed, and ought to goe,
in caſes when there be heires females to the ſame and for default of
ſuch iſſue, then the ſaid imperial crown and other the premiſſes ſhall
be to the right heires of your highneſſe for ever. And be it further en-
acted by authority aforeſaid, That on this ſide the firſt day of May next
coming, Proclamations ſhall be made in all ſhires within your land
of Ireland of the tenor and contents of this Act, and if any perſon or
perſons of what eſtate, dignity or condition ſoever they be ſubject or re-
ſiſtant within this your ſaid land of Ireland after the ſaid firſt day of
May, by writing, or imprinting, or by any exterior Act or deed ma-
liciouſly procure or doe or cauſe to be procured or done any thing or
things, to the perill of your moſt royal perſon, or maliciously give
occaſion, by writing, print, deed or Act, whereby your highneſſe might
be diſturbed or interrupted of the crown of the ſaid Realm of England,
or of this your ſaid land of Ireland, or by writing, print, deed, or Act
procure or do, or cauſe to be procured or done any thing, or things,
to the prejudice, ſlander, diſturbance or derogation of the ſaid lawful
matrimony, ſolemnized between your Maieſty and the ſaid Queen
Anne, or to the perill, ſlander or diſheriſon of any the Iſſues and the
heires of your highneſſe, being limited by this Act to inherit and to be
inheritable to the crown of the ſaid Realm in ſuch form as is aforeſaid,
whereby any ſuch iſſues or heires of your highneſſe might be deſtroyed,
diſturbed or interrupted, in body or in title of inheritance to the crown
of the ſaid Realm, or of the poſſeſſion of this your ſaid land of Ire-
land, as to them is limited in this Act in form above rehearſed: That
then every ſuch perſon or perſons of what eſtate, degree or condition
they be of ſubjects or reſiſtants within this your ſaid land of Ireland,
and their aydoers, counſailors, maintainers, and abettors, and every
of them for every ſuch offence ſhall be adjudged high traitors, and
every

every ſuch offence ſhall be adjudged high treaſon, and the offenders, and their ayders, counſellers, maintainers, and abettors, and every of them, being lawfully convicted of ſuch offence, by preſentment, verdict, confeſſion or proceſſe, according the cuſtomes and lawes of this your ſaid land, ſhall ſuffer pains of death as in caſes of high treaſon. And alſo that every ſuch offender being convicted, as is aforeſaid, ſhall loſe and forfeit to your highneſſe, and to your heires, Kings of the ſaid Realm of England, & lords of this your ſaid land of Ireland, all ſuch manors, lands, tenements, rents, annuities, and hereditaments, which they had in poſſeſſion as owners, and were ſole ſeiſed of, by, or in, any right, title, or meanes or any other perſon or perſons had to their uſe, of any eſtate of inheritance at the day of ſuch treaſons and offences by them committed and done, and that alſo every ſuch offender ſhall loſe and forfeit to your highneſſe, & to your ſaid heires, alſo all manner ſuch eſtates of freehold and intereſt for yeares, of lands, and rents as all other goods, cattels, and debtes, which they had at the time of conviction or attainder, of any ſuch offence. Saving alwayes to every perſon and perſons and bodies politique, to their heires aſſignes, and ſucceſſors, and to every of them, other then ſuch perſons as ſhall be ſo convicted, and their heires and ſucceſſors, and all other, claiming to their uſes all ſuch uſes, right, title, intereſt, poſſeſſion, condition, rents, fees, offices, annuities, and commons, which they, or any of them ſhall happen to have, to or upon any ſuch manors, landes, tenements, rents, annuities, or hereditaments that ſo ſhall happen to be loſt, and forfeit by reaſon of attainder, for any the treaſons and offences above rehearſed, at any time before the ſaid treaſons and offences committed. Be it further enacted by authority aforeſaid, That if any perſon or perſons, after the ſaid firſt day of May, by any wordes without writing or any other exterior deed or Act, maliciously & obſtinately publiſh, demulge or utter any thing or things to the peril of your highneſſe, or to the ſlander or prejudice of the ſaid matrimonie ſolmniſed between your highneſſe and the ſaid Queen Anne, or to the ſlander and diſheriſon of the iſſue and heires of your body begotten of the ſaid Queen Anne, or any other your lawful heires, which ſhall be inheritable to the Crown of the ſaid Realm of England, and of this your ſaid land of Ireland, as is afore limited by this Act, that then every ſuch offence ſhall be taken & adjudged for miſprifion of treaſon, and that every perſon and perſons, of what eſtate, degree, or condition ſoever they be, ſubject or reſiant within this your ſaid land of Ireland ſo doing and offending, and being thereof lawfully convicted by preſentment, verdict, proceſſe, or confeſſion, ſhall ſuffer imprisonment of their bodies at the Kings will, and ſhall loſe alſo all their goods, chattels and debtes, as all ſuch intereſts & eſtates of freehold or for yeares, which any ſuch offender ſhall have of or in any lands, rents, or hereditaments whatſoever at the time of the conviction and attainder of ſuch offence. And be it alſo enacted by authority aforeſaid, that no perſon or perſons offending in any the treaſons or miſprifions contained and limited by this Act, ſhall in any wiſe have and enjoy the privilege of immunity of any manner Sanctuaries within your ſaid land of Ireland or elſewhere within the Kings dominions, but ſhall utterly loſe and be excluded of the ſame: any uſe, cuſtome, graunte, preſcription, confirmation, or any other thing or things to the contrary thereof in any wiſe notwithſtanding. And be it alſo enacted by authority aforeſaid, that if your Maieſtie ſhould happen to deceaſe before any ſuch your iſſue & heire male which ſhould inherit the Crown of the ſaid realm

High treaſon to ſlander or prejudice the Kings right or his iſſues by A. Anne to the crown of England, &c. by writing, or other exterior Act.

The forfeitures for the ſaid treaſon.

Miſprifion of treaſon to ſpeak any thing without writing, to the peril of his highneſſe or marriage with A. Anne.

Sanctuary taken away.

The iſſue
male under
18. and the
iſſue female
under 16.
and unmarried
at the
time of the
Kings
death, ſhall
be under the
governance
of her natu-
ra mother,
and ſuch as
his Maieſty
ſhall ap-
point, the
appoynting
hereof high
treason.

That the
King and
his heires
ſhall at any
time ap-
point the
nobles and
others to
take the
Oath of Al-
legiance.

of England ſhall be of his age of xviii. yeares, or before ſuch your iſſue
and heire female, which ſhould inherit the Crown of the ſaid Realm
ſhall be married, or be of the age of xvi. yeares, which Almighty God
defend, that then your iſſue & heire male to the Crown ſo being within the
age of xviii. yeares, or your ſaid iſſue and heire female to the Crown, be-
ing unmarried and within the ſaid age of xvi. yeares, ſhall be and
remain unto ſuch time as ſuch iſſues and heires ſhall come to their ſaid
ſeveral ages afore limited, at and in the governance of their natural mo-
ther, the living, with ſuch other counſailors of your realm of England,
as your Maieſty in your life time ſhall depute and aſſign by your will
or otherwiſe for the ſame, without contradiction of any perſon or per-
ſons to the contrary thereof. And if any perſon or perſons by writing
or exterior deed or Act, procure or doe, or cauſe to be procured or done,
any thing or things to the let or diſturbance of the ſame, that then any
ſuch offence ſhall be high treason, and the offenders being thereof con-
dict, ſhall ſuffer ſuch paines of death and loſſes of inheritance, free-
holds, intereſts for yeares, goods, cattells, and debts, in ſuch maner
and form, as is abode ſpecified in caſes of treason afore mentioned.
And for the more ſure eſtabliſhment of the ſucceſſion of your moſt royal
Maieſty, according to the tenor and form of this Act, Be it further en-
acted by authority aforeſaid, that as well the Nobles of this your ſaid
Land of Ireland, ſpiritual and temporal, as other your ſubjects now
living, and being or that hereafter ſhall be at their full ages by the com-
mandment of your Maieſty, or of your heires or deputie, of this your
Land, at all times hereafter from time to time when it ſhall pleaſe your
highneſſe or your heires to appoint, ſhall make a corporal oath in pre-
ſence of Your highneſſe, or Your heires, or Your Deputie or before ſuch o-
ther as Your Maieſty, or Your heires, or Your Deputie will depute for
the ſame, according to the tenor of the oath hereafter following, Ye
ſhall ſwear to beare faith, truth, and obedience to the Kings Maieſty,
and to his heires of his bodie of his moſt dear and entirely beloved law-
ful wife, Queen Anne begotten, and to be begotten. and further to
the heires of our ſaid ſovereign Lord, according to limitation in in the
Statute made for ſuertie of his ſucceſſion in the Crown of the Realm
of England, and of this his land of Ireland, mentioned and contain-
ed, and not to any other within the ſaid Realm of England, or within
this Land of Ireland, nor forain authoritie or potentate, and in caſe
any oath be made or hath been made by you to any perſon or perſons,
that then ye repute the ſame as vain and adnihilate, and that
to your cunning, wit, and uttermoſt of your power, without guile,
fraud, or other undue mean, ye ſhall obſerve, keep, maintain & defend
the ſaid Act of ſucceſſion, and all the whole effects and contents thereof,
and all other Acts and Statutes made in confirmation, or for erecution
of the ſame, or of any thing therein contained, and this ye ſhall do a-
gainſt all maner perſons of what eſtate, dignitie, degree or condition
ſoever they be, and in no wiſe do or attempt, or to your power ſuffer to
be done or attempted directly or indirectly, any thing or things, privi-
ly or apartly, to the let, hinderance, damage, or derogation thereof, or
of any part of the ſame by any maner of means, or for any maner of
pretence. So help you God, all Saints, and the holy Evangelists.
And that all maner your ſubjects as well ſpiritual as temporal, ſuing
liberie, reſtitutions, or utter le maine out of the hands of Your High-
neſſe, or of Your heires, or doing of any fealtie to Your Highneſſe, or to
Your heires by reaſon of tenour of their lands, ſhall ſwear a like corpo-
ral Oath as is afore rehearſed, and that they nor any of them, ſhall
here-

hereafter have any liberties, utter le mayne, or reſtitution out of your hands, nor out of the hands of your heirs till they have made their ſaid corporal Oath in form above rehearſed, & if any perſon or perſons being commanded by authoritie of this Act, to make the ſaid Oath afore limited, obſtinately reſuſe that to do in contempt of this Act, that then everie ſuch perſon ſo doing, to be taken and accepted for offendour in miſpriſion of high treason, and that everie ſuch reſuſal ſhall be deemed and judged miſpriſion of high treason, and the offendours therein to ſuffer ſuch pains and impriſonments, loſſes and forfeitures, and alſo priviledges of Sanctuaries, in like maner and form as is above mentioned, for the miſpriſions of treaſons, afore limited by this Act. Provided alwaies, that the Article in this Act contained concerning prohibitions of marriages, within the degrees afore mentioned in this Act, ſhall alwaies be taken, interpreted, and expounded of ſuch marriages, where marriages were ſolempniſed and natural knowledge had.

C A P. III.

The Act of Abſenties.

FOrasmuch as it is notozious and maniſeſt, that this the Kings land of Ireland heretofore being inhabited, and in due obedience and ſubjection unto the Kings moſt noble Progenitors, Kings of England, who in thoſe daies in the right of the Crown of England, had great poſſeſſions, rents, and profits within the ſame land, hath principally groven into ruine, deſolation, rebellion and decaie, by occaſion that great dominions, lands, and poſſeſſions within the ſame land, as well by the Kings graunts, as by courſe of inheritance, and otherwiſe deſcended to Noblemen of the Realm of England, and eſpecially the lands and dominions of the Earldoms in Ulſter and Leinſter, who having the ſame both they and their heirs by proceſs of time demozing within the ſaid Realm of England, and not providing for the good order and ſuretie of the ſame their poſſeſſions there, in their abſence and by their negligences ſuffered thoſe of the wild Irithrie, being mortal and natural enemies to the Kings of England, and Engliſh dominion, to enter and hold the ſame without reſiſtence, the conqueſt and winning thereof in the beginning, not onely coſt the Kings ſaid noble Progenitors charges ineſtimable, but alſo thoſe to whom the ſaid land was given, then and many years after abiding within the ſaid land, nobly and valiantly defended the ſame againſt all the Kings ſaid enemies, and alſo kept the ſame in ſuch tranquillitie and good order, as the Kings of England had due ſubjection of the inhabitants there, the laws obeyed and of their revenues and regalitie were duly answered, as in any other where within the Realm of England, and after the gift or diſcent of the ſaid lands, poſſeſſions and dominions to the perſons aforeſaid, they and their heirs abſented themſelves out of the ſaid land of Ireland, demozing within the Realm of England, not pondzing ne regarding the preſervation thereof, the towne, caſtles and garifons appertaining unto them fell in ruine and decaie, & the Engliſh inhabitants there in default of defence and juſtice, and by compulſion of thoſe of the Irithry were exiled, whereby the ſaid King progenitors loſt aſwell their dominion, and ſubiection there, as alſo all their revenues and profit, and their ſaid enemies by readopting or attaining the ſaid lands, dominions, and poſſeſſions were elevated into great dominion, power, ſtrength, and puiſſance, for the ſuppreſſing of the reſidue of the Kings ſubjects of this land, which they daily ever ſith have attempted, whereby they from time to time uſurped, and encroched upon the Kings dominion, which hath been the principal cauſe of the miſerable eſtate, wherein

Reſuſal of the Oath, miſpriſion of treaſon. The prohibition of marriage within the degrees intended where natural knowledge is had.

Against Abſenties.

The miſchief that enſues by their abſence.

The ſeveral
perſons of
England
that hold
Lands in
Ireland.

The Rebel-
lion of the
Earl of Kil-
dare.

wherein it is at this preſent time, and thoſe lands and dominions by negligence, and in default of the very inheritours, after this manner loſt, may be good example to the Kings Maſteſtie now being, intending the reformation of the ſaid land, to foreſee and prevent, that the like ſhall not enſue hereafter, For where the noble prince Thomas Harward Duke of Norfolke, and the Lord Barkley his compariſoner claim and hold as their auncient inheritance, the ſeignories and lordſhips of Catherlagh, Old Roſe, and divers other manors and lands within the ſaid land, and George Calbot, Earle of Waterford and Salop, the ſeignorie of Waterford, and the heires general of the Earle of Ormond divers other poſſeſſions and lands, the Abbot of Furnes, the Abbot of Saint Auguſtins of Briſlow, the Prior of Chriſtchurch of Canterbury, the Prior of Lanthonie, the Prior of Cartinell, the Abbot of Kenteſham, the Abbot or Prior of Oſny, the Abbot or Prior of Bathe, the maſter of Saint Thomas of Acres, everie of them ſeveral lands and poſſeſſions within the ſaid land which both they and their antecellours and predeceſſors, in ſemblable wiſe not regarding the defence ne good order of the ſame, diverſe times not onely have ſuffered the Kings enemies, to encroach and enter into their dominions and poſſeſſions. ſo as for the recoverie thereof the Kings highneſſe that now is, his father and graundfather at diverſe and ſeveral ſeaſons, have been put to ineſtimable charges, & the ſame ſo by them attained, the ſaid inheritours & poſſeſſioners have entered again into their ſaid lands & poſſeſſions, taking the proſites thereof for a ſeaſon without proviſion making for any defence or keeping thereof in good order, but making leaſes of divers their holds and manours, to the late Earle of Kildare, which by occaſion of the ſame came to the poſſeſſion of Thomas ſitz Gerald, his ſonne and heire, who now of late like a moſt falſe diſloyal traditour with his complices, rebelled againſt our Soberaign Lord the King, entendig moſt falſly and traditorouſly to take the ſaid land of Ireland, out of his poſſeſſion, and him and his heires therof to diſherite for ever. among other was aided, aſſiſted, and maintained, againſt our Soberaign Lord in that his moſt falſe and traditours purpoſe by the inhabitants and occupiers of the ſaid lands, and poſſeſſions, ſo as for repreſſing as well of the ſaid Thomas ſitz Gerald and other his complices, as winning of the Caſtells of Catherlagh, Old Roſe, Arclo, Tullagh, in Offeline, Kilruſh and other fortrelles of the inheritance, and poſſeſſions of divers the perſons aforeſaid, & other lands out of his and their poſſeſſions, the Kings ſaid Maſteſtie was enforced to his charges, to ſend thither, and keep there an armie royal, and alſo conſidering that the perſons aforeſaid, having heretofore the ſame lands and poſſeſſions at their own diſpoſition and order, perceived little profit thereby, and yet by their negligence and miſorder thereof, and eſpecially within the counties of Catherlagh, and Waterford, being places priviledged by the Kings ſaid moſt noble progenitors that the Lords thereof, may keep & hold all manner ples within the ſame, by occaſion and under pretence and colour whereof, the Kings lawes, writs, or other proceſſes be not obeyed neither any other law, or juſtice there uſed or adminiſtered for the quieting and good order of the Kings Subjects, inhabitants within the ſame, ſo as in default, as well thereof as of a Governour to rule, order, and guide them the Kings enemies have them in ſervadge, all murders, robberies, thefts, treaſons and other offences, remain there unpuniſhed, the Kings wards, relieſes, eſcheates and all other his proſites, and revenues, being withdrawn and the ſervice, ſtrength and aſſiſtance of the ſaid Subjects is great-

greatly diminished, and for these and other diverse hurts and enormities which bein like to ensue to the common weale of the said land to the prejudice of our Sovereign Lord the King and his heires, by the misorder of the lands & possessions belonging to any of the persons aforesaid, and in respect of the incalculable charges which the King our Sovereign Lord hath sustained and apparantly hath occasion to sustain, for and about the conquest and recontinuance of the same out of his enemies possession, by authoritie and reason whereof, albeit that his Grace hath lawful and sufficient right to all the said seignories, lands and possessions, and that if his Grace would take of the inheritors, and possessioners of the same, the arrerages of the two parts of the yearly profits thereof by reason of their absence out of the said Land, contrary to the statutes thereof provided, the same would counterbaile the purchase thereof, yet for corroboration of the right and title of our said Sovereign Lord the King, and his heires, which he hath to all the same Lands, dominions and possessions: Be it enacted, established, and ordained by the King our Sovereign Lord, the Lords Spiritual and tempozal, and Commons in this present Parliament assembled, and by authoritie of the same, that the King, his heires and assignes shall have, hold, and enjoy as in the right of the Crown of England, all honors, manors, castles, seignories, hundreds, franchises, liberties, countie palantines, jurisdictions, annuities, knights fees, advowsons, patronages, lands, tenements, woods, meadowes, pastures, reversions, remainders, rents, services, parsonages, vicarages, dismes, tythes, oblations, obventions, pensions, and all and singular other possessions, hereditaments, and all other profits aswell spiritual as tempozal, whatsoever they be, which the said Duke and his comparcioner, or the said Earl of Waterford and Salop, or the said heires general of the Earle of Ormond, or any the Abbots, Priors, and Master aforesaid, or any of them, or any person or persons to their uses, or to the use of any of them within this land of Ireland, or whereunto they or any of them, or any to their uses, or to the use of any of them, have lawfull right, title, possession or clause of entre. Saving to all and every person and persons the Kings natural Subjects dwelling in this land, other then the Duke and his said comparcioner. the said Earl and the said heires general to the Earle of Ormond, and the said Abbots, Priors, and Master, and their heires and successors, and the heires and Successors of any of them, and such as claim to their uses, or to the use of any of them, all such right, title, interest, use, possession, leases, rents, annuities, offices, and fees, as they have in or to the premises or any parcel thereof, as if this Act had never been made. Provided alway, and be it enacted by authority of this present Parliament, that this foresaid Act, ne any thing therein contained, be in any wise prejudicial or hurtful to Thomas Howth of Certayne now secondary Justice of our Sovereign Lord the Kings high Bench of Ireland, and Patricke Barnetwal of Fieldeston, their executors or assignes, or any of them, in, of, or for any manors, meases, lands, tenements, rents, reversions, services, patronages, advowsons, chappels, priories, selles, parsonages, vicarages, dismes, oblations, obventions, pensions as well spiritual as tempozal, or any other hereditaments or profits, spiritual or tempozal, which the said Thomas and Patricke have of the graunt or lease of Richard Prior of the Monasterie of the blessed Ladie of Cartmell and Convent of the same, in ferme, with the assent and consent of the said Convent. But that the said Thomas and Patricke their executors and assignes, and the executor and assigne of either of

The Act extends only to the Duke of Norfolk and other persons named.

Saving right of all such as dwell in this land, excepting the persons named.

Proviso that
this Act
shall not be
prejudicial
to John
Barnetwall,
Lord of Trim-
leston, nor
Patrick
Barnetwall.

them, shall occupy, have, possess, and enjoy all and singular the said manors, meases, lands, tenements, tithes, oblations, hereditaments, and everie other the premises, graunted and lett, during and for the terme of eight and thirtie yeares next ensuing, during the said term, paying therfore yearly unto our said Sovereign Lord and to his heires, the rent reserved in the said Indenture. Provided also, and be it enacted by authoritie aforesaid, That the foresaid Act, or any thing therein contained, be in any wise prejudicial or hurtful to Sir John Barnetwal Knight, Lord of Trimleston, and Patrick Barnetwal of Fieldston, their executors or assignes, or any of them, in, of or for, the office of the Steward, Seneschal, Surbeyor, and receibor of the manors, and Lordshippes of Rushie, Balcadon, the moitie or halfendell of the manour of Portarne, or of the manours and Lordshippes of Woughterade, Castellwaring, Clyntoncourt, or the Lordship and manour of Blackastell, or any fee, pensions, annuities, commodity, or profit, that they or any of them, have or should have by reason or for the exercising of the said offices, but that the said Sir John and Patrick jointly & severally during the lives of the said Sir John and Patrick, and the longer liver of them, shall have, hold, exercise, occupie, possess, and enjoy the said offices and every of them, by themselves or any of them, or by their sufficient deputie or deputies, or by the sufficient deputie or deputies of any of them, during the lives of the said Sir John and Patrick, and the longer liver of them, having taking, and perceiving such like fees, wages, profits, commodities, casualties, and advantages, as Sir Barthelm. Dillon Knight deceased, late had and perceived by reason and for the exercising of the said offices, or any of them, yearly to be perceived, leyed, and received at the feasts of Saint Michael the Archangel, and Easter, by even portions of the rents, services, revenues, and profits of the said manors, lordships and other the premises. Provided also that this foresaid Act, ne nothing therein contained, be in any wise prejudicial or hurtful to any Archbishop, Bishop, Abbot, Priour, Dean, Archdeacon, of this land of Ireland, being resident and dwelling within the said land, which hath any jurisdiction within the same, or to the successors of any of them, other then the said Abbots of Furnes, Saint Augustines of Bristow, and of Kentesham, the Abbot or Priour of Olney, the Abbot or Priour of Bathe, and the Master of Saint Thomas Acres, the Priour of Christchurch of Canterbury, the Priour of Lanthonie, and the Priour of Cartmell, and the successors of any of them, in, of, or for their Sinodalls, Visitations, Priories, Pensions, Portions, and annuities of them or any of them, which they or any of them be rightfully entitled to have by composition, custome, or otherwise. Provided alwayes, that this Act or any thing within the same contained be not prejudicial or hurtful to the right reverend father in God Edward Bishop of Wyeth, nor to his successors, in, of or for Synodalls, Priories, Pensions, Annuities, or of any other issues or profits due unto the said Bishop or his successors by any maner of right, title, or composition, which the said Bishop hath had or received heretofore, in, of the houses and Granges of Duleke and Colpe Churches and Benefices in Ireland, belonging to the said houses and Granges, and to the house of Lanthonie in England. Provided also, that this foresaid Act nor any thing therein contained in any wise be not prejudicial or hurtful to the suffraigne, portrises and commons of the town of Bosse, or to the suffraigne, bayliffes, and commons of the town of Wexford, or to the suffraigne, portrises, and commons of the town of Kilkenny, or to the suffraigne

freine, burgesses and commons of the towne of Clonmel, or to any of them, or to the successors of them or any of them, in, of, for or concerning any graunts, liberties, privileges, franchises, corporations, profits or commodities, or any other thing or things to them or any of them, or to their predecessors, or to the predecessors of any of them extending by the same graunts to their successors, and to the successors of any of them by any manner of mean, given, graunted, or confirmed before the first day of this present Parliament. This present Act in any wise notwithstanding. Provided also, and be it enacted by authority of this present Parliament, that this foresaid and present Act ne any thing therein conteyned, be in any wise prejudicial or hurtful to any person or persons, in, of or for any, and every of their cornes (tythes onely except) which they or any of them hath growing or coming out and upon the said lands, tenements, and other the premises, and every parcel thereof, unto the feast of Saint Michael the Archangel next coming. But that it shall be lawful to every such person and persons as hath any such cornes to rippe, carry and convey the same at his and their will and pleasure, this foresaid and present Act or any thing therein conteyned in any wise notwithstanding. Provided also, and be it enacted by authority of this present Parliament, that all obligations, bondes of the Staple, recognizances, Indentures, and all other writings and specialties, wherem any person or persons standeth bounden for the payment of any rents, issues, revenues, and profits for, or by reason or going out of the said Lordships, manors, lands tenements, and other the premises, or any parcel thereof by authority of this present Act, be deemed, ordered, reputed and adjudged frustrate and void, and of none effect in law. Provided also, that this Act ne anie thing therein conteyned, be in no wise prejudicial or hurtful to the Portrees, Burgesses, and commons of the town of Fisharde, or to the Portrees, burgesses, and commons of the town of Casthell, or to any of them, or to the successors of them or any of them, in, of, for, or concerning any graunts, liberties, privileges, franchises, corporations, profits or commodities, or any other thing or things to them or any of them, or to their predecessors, or to the predecessors of any of them extending by the same graunts to their successors, or to the successors of any of them by any manner of mean, given, granted, or confirmed before the first day of this present Parliament, this present Act in any wise notwithstanding.

CAP. IV.

The Repeal of Poynings Act.

FOR the great trust and confidence that the Kings highnesse hath in his Deputie and Counsaile of this his land of Ireland, and in the Nobles spiritual and temporal, and the Commons his loving subjects of the same, his Maiestie is pleased and contented, that it be enacted by authority of this present Parliament, That this present Parliament summoned, begun and holden, and every Act, ordinance, provision, thing or things of what nature, name, condition, or quality it be of, had, done, made or established, or hereafter to be had, done, made or established by authority thereof, shall be good and effectual to all intents and purposes, according to the tenour and effect to the said Acts, ordinances and provisions. The Act made at Draggheda in the Parliament there holden the Monday next after the feast of Saint Andrew, in the tenth year of the most noble King of famous memory King Henry the seventh, before Sir Edward Poynings Knight, then being deputy of this land, or any other Act or Acts, use or custom, hereto-

The like
Stat. 11 El.
cap. 1.
10 H.7.c. 4.
28 H.8. cap.
20.
Explains
this.

fore had, done, or made within this land to the contrary of this present Parliament, or any thing made or established by authority of the same in any wise notwithstanding. Provided alway, and be it enacted, that by force and virtue of this present Act, ne any thing, therein contained, no Act, ordinance, provision, thing or things, of what nature, name, condition, or qualitie soever it be, for any manors, Lordships, lands, tenements, advowsons, Abbeyes, Priories, Selles, or any other hereditaments, whatsoever they be for or between any person or persons, bodie or bodies politique or incorporate, or any other particular Act, ordinance, or provision, or any other Act, ordinance or provision that shall be prejudiciall, hurtfull, or in derogation of any graunts, liberties, franchises, usages, customes, or any other commodities or privileges, given or graunted by our Sovereign Lord the King or his noble Progenitors, to any Citie or borough towns within this land of Ireland, be enacted or established by virtue or authority of this present Parliament, but only such Acts, ordinances and provisions thing or things as shall be thought expedient for our Sovereign Lord the Kings honour, the encrease of his graces revenues and profits, and the common weale of this his land & dominion of Ireland,

C A P. V.

An Act authorising the King, His Heirs and Successors to be Supreme Head of the Church of Ireland.

LIke as the Kings Majesty justly and rightfully is and ought to be the supreme head of the Church of England, and so is recognised by the Clergie, and authorised by an Act of Parliament made and established in the said realme: so in like maner of wise, forasmuch as this land of Ireland is depending and belonging justly and rightfully to the imperial Crowne of England, for increase of vertue in Christs religion within the said land of Ireland, and to repress and extirp all errors, heresies, and other enormities & abuses heretofore used in the same. Be it enacted by authority of this present Parliament, That the King our Sovereign Lord, his heires and successors, Kings of the said Realm of England, and Lords of this said land of Ireland, shall be accepted, taken and reputed the only supreme head in earth of the whole Church of Ireland, called (*Hibernica Ecclesia*) and shall have and enjoy, annexed and united to the imperial Crowne of England, as well the title and stile thereof, as all honors, dignities, prebeminences, jurisdictions, privileges, authorities, immunities, profits, and commodities to the said dignitie of supreme head of the same Church belonging and appertayning, and that our said Sovereign Lord his heires and successors Kings of the said realm of England, and Lords of this land of Ireland, shall have full power and authority from time to time to visit, repress, redress, reform, order, correct, restrain & amend all such errors, heresies, abuses, offences, contempts and enormities whatsoever they be, which by any maner spiritual authority or jurisdiction ought or may lawfully be reformed, repressed, ordered, redressed, corrected, restrained or amended, most to the pleasure of Almighty God, the increase of vertue in Christs religion, and for the conservation of peace, unitie, and tranquillitie of this land of Ireland. Any usage, custome, forrein lawes, forrein authoritie, prescription, or any other thing or things to the contrary thereof notwithstanding, Provided alway, and be it enacted by authority of this present Parliament, that if it fortune our Sovereign Lord the King, his heires or successors, to authorise and depute any person or persons to visit, repress, redress, reform, order, correct, restrain, or amend, by force

That the King, his heirs and successors should be supreme head of the Church of Ireland.
Ir. St. 27 El. cap. 1.

of the present and foresaid Act, that then every such person or persons shall go with such company as shall be convenient and necessary for the same: And that according to the habilitie, substance and power of the person, house, or monasterie, which they shall so fortune to visit, repress, redress, reform, order, correct, restrain or amend, and that no such person or persons so appointed, or authorized to visit, repress, redresse, reforme, order, correct, restrain or amend, shall take or cause him, to be taken any process money, or other exactions of any such person, house, or monasterie, which they shall so fortune to visit, repress, redress, reform, order, correct, restrain or amend, but onely convenient meat, drink and lodging for themselves, their company, servants and horses, and if any such person or persons so appointed and authorized, as aforesaid, do take or cause to be taken any process money or any other exactions (other than is aforesaid) that every of them so offending, shall forfeit four times the value of that that he receiveth, or cause to be received, the one half thereof to our Sovereign Lord the King, his heirs and successors, and the other half to any person or persons that will sue for the same by action of debt, information or otherwise, wherein no wager of law, essone, ne protection shall lye.

CAP. VI.

An Act of Appeales, Rot. Parl. ca. 7.

Where divers good and wholsome laws and Statutes be made and established within the Realm of England, for the adulling and utter taking away of appeales in cases spiritual from the Bishop of Rome and See apostolike, and such other as claim by authority of the same, not onely for great speed of Justice to the Kings subjects of the said Realm, but also in taking away the long delayes, costs, charges, and expences that the said subjects sustayned by reason of such appeales: And forasmuch as this land of Ireland is the Kings proper dominion of England, and united, knit, and belonging to the imperial Crowne of the same Realm, which Crowne of it self, and by it self, is fully, wholly intirely, and rightfully endowed and garnished with all power, authority, and preheminance sufficient to redress and render to all and singular subjects of the same, full and plenarie remedies in all causes of strife, debate, contention or division, without any suite, probocation, appeal or any other process to be had, made or sued to any forrein Prince or potentate spiritual or temporal. Be it therefore, and for the common weal of the subjects of this land ordained and enacted by authority of this present Parliament, That no person or persons, subjects or resiants of this land, shall from the first day of this present Parliament pursue, commence, use or execute any manner of probocations, appeales, or other process to or from the Bishop of Rome, or from the See of Rome, or to or from any other that claime authority by reason of the same for any manner of case, grief or cause of what nature soever it be, upon the pain that the Offenders, their aydoers, counsayloers and abbetoers contrary to this Act, shall incur and run into such pains, forfeitures, and penalties, as be specified and contayned in the Act of provision and premunire, made in the Realm of England, in the sixteenth year of King Richard the second, sometime King of England and Lord of Ireland, against such as procure to the Court of Rome or elsewhere to the derogation, or contrary to the prerogative or jurisdiction of the said Crowne of England, And that no manner of person, subject or resiant within this said land, shall attempt, procure or obtain any manner of process, of what kind or nature soever it be, to or from the same Bishop of Rome, or Court of Rome,

Proceſſes pro-
bided at
home

or Set, Apoſtolike, or from any other, have by the ſame, to the let or interruption of this Act or any thing therein contained, nor in any wiſe obey or execute within this land, in any manner of proceſſes upon like paines land forfeits, as been above rehearſed, and to the intent that the ſubjects and reſiants of this land ſhall and may take and hear the appeales in their juſt and lawfull cauſes for lacke of Juſtice within this land. Be it further enacted by authority of this preſent Parliament, that in and for all manner of cauſes, griefes and caſes, as they or any of them were wont and accuſtomed to have in their probocations, appeales and other proceſſes in caſes of debate and contention, to or from the Biſhop of Rome, or to or from the Set Apoſtolike, or Court of Rome, they now being grieved ſhall have, take and uſe from the firſt day of this preſent Parliament their Probocations, appeales and ſuch like proceſſes to the King of England, and Lord of Ireland, his heirs and ſucceſſors, or to his or their Lieutenant, Deputie, Juſtice, or other Governour whatſoever he be of this land of Ireland for the time being, to his or their Court of Chancery within the ſame Realm of England or land of Ireland: And that upon every ſuch probocation, appeal and proceſſes made to the King of England and Lord of Ireland, and to his heirs and ſucceſſors, The Chancelor of England or Keeper of the great ſeale for the time being, ſhall graunt a Commiſſion or delegacy to ſome diſcreet and well learned perſons of this land of Ireland, or elſe in the Realm of England for final determination of all cauſes and griefes containd in the ſaid probocations and appeales, and in the principal matter, and in all circumſtances and dependants thereupon. And that upon every ſuch probocation, appeal, or proceſſes made to the ſaid Lieutenant, Deputie, Juſtice or Governour, the Chancelor of this ſaid land of Ireland or Keeper of the great Seal of the ſame for the time being, by the aſſent of the chief Juſtices of the Kings Bench and common place, the Maſter of the Rolls and the Undertheſaurer of the ſaid land for the time being, or any two of them, ſo as the ſaid Undertheſaurer be one, ſhall grant a commiſſion or delegacie to ſome diſcreet and well learned perſons within this land of Ireland for final determination of all cauſes and griefs conteyned in the ſaid probocation and appeales, and in the principal matter and all circumſtances and dependantes thereupon, which commiſſioners ſo named, ſhall have like power and authority in all manner of things, as commiſſioners aſſigned in appeales made to the Kings Highneſſe in the Realm of England have by authority of their commiſſion, or by vertue of any Acts made for appeales within the ſaid Realm, any forrein lawes, prohibitions, inhibitions from the Court of Rome, cuſtomes, uſages, preſcription, or any other thing or things to the contrary thereof notwithstanding.

CAP. VII.

An Act of Slaunder, Rott. Parl. cap. 8.

ſlaundering
the King,
Queen or
their heirs
and ſucceſ-
ſors treason

26. H 8. cap
13 Eng.

VV Here in a Parliament begun at London in the Realm of England the third day of November, the xxi. year of the reign of our moſt dread Sovereign Lord King Henry the eighth, King of England & of France, defendour of the faith, Lord of Ireland, & ſupream head in earth of the Church of England, and from thence adjourned to Weſtmiſter, & by divers prorogations there holden & continued. It was and is enacted amongſt other things in manner & form as followeth: Forasmuch as it is moſt neceſſary, both for common policie and duetie of ſubjects above all things to prohibit, provide, reſtrain, and extinct all manner of ſhamefull ſlaunders, perills or imminent

imminent danger or dangers which might grow, happen, or rise to
 their ſoveraign Lord the King, the Queen and their heyres, which when
 they be heard, ſeen, or underſtood, cannot be but odible, and alſo ab-
 horred of all thoſe ſorts, that be true and loving ſubiects, if in any
 point they may doe or ſhall touch the King, his Queen, their heyres and
 ſucceſſors, upon which dependeth the whole unitie, and the uniuer-
 ſall weal of this Realm without providing, wherefore to great a ſtop of
 unreaſonable libertie, ſhould, be given to all cankered and trayterous
 hearts, workers and willers of the ſame. And alſo the Kings loving
 ſubiects, ſhould not declare unto their ſoveraign Lord now being
 (which unto them hath been and is moſt entirely both beloved and eſtee-
 med) their undoubted ſincerity and truth. Be it therefore enacted by
 the aſſent and conſent of our ſoveraign Lord the King, and the lords
 ſpiritual, and Temporal, and the Commons in this preſent Parlia-
 ment aſſembled, and by authority of the ſame, That if any perſon or
 perſons, after the firſt day of February next comming, doe: malici-
 ouſly wiſh, will, or deſire, by words or writing, or by craft, imagin-
 ing, invent, practiſe or attempt, any bodily harm to be done or committed
 to the Kings moſt Royal perſon, the Queen, or their heyres apparant
 or to deprive them or any of them of the dignitie, title, or name of their
 royal eſtates, or ſlaunderouſly and mailiciouſly publiſh and pro-
 nounce by expreſs writing or words, that the King our ſoveraign Lord
 ſhould be heretick, ſchiſmatick, Tyrant, infidell, or uſurper of the
 Crowne, or rebelliouſly doth detain, keep, or withhold from our ſaid
 ſoveraign Lord, his heyres or ſucceſſors, any of his or their fortrelles,
 fortileſſes, or holds, within this Realm, or any other the Kings domi-
 nions or marches, or rebelliouſly detain, keep, or withhold from the
 Kings ſaid highneſſe, his heyres or ſucceſſors, any of his or their ſhips
 or dnances, Artillery, or other munitions or fortifications of war and
 doe not humbly render and give up to our ſaid ſoveraign Lord, his
 heyres or ſucceſſors, or to ſuch perſons as ſhall be deputed by them ſuch
 caſſes, fortrelles, fortileſſes, holds, ſhips, or dnances, artillery and o-
 ther munitions, and fortifications of war, rebelliouſly kept, or detay-
 ned, within ſixe dayes next after they ſhall be commanded by our ſaid ſo-
 veraign Lord, his heyres and ſucceſſors by open Proclamations under
 the great ſeale: That then every ſuch perſon and perſons, ſo offending
 in any of the premiſſes, after the ſaid firſt day of February, their aydoers,
 counſailors, conſentors, and abbettors, being thereof lawfully con-
 victed, according to the lawes and cuſtomes of this Realm, ſhall be ad-
 judged traditours, and that every ſuch offence in any the premiſſes that
 ſhall be committed or done after the ſaid firſt day of Februarie. ſhall be
 reputed, accepted, and adjudged high treason, and the offenders there-
 in and their aydoers, conſentors counſailors, and abbettors, being law-
 fully convict of any ſuch offence as is aforeſaid, ſhall have and ſuf-
 fer ſuch paines of death and other penalties, as is limited and accuſto-
 med in caſes of high treason. And to the intent that all treaſons
 ſhould be the more dread, hated, and deteſted to be done by any perſon
 or perſons, and alſo becauſe it is a great boldneſſe, and an occaſion to
 evil diſpoſed perſons to adventure and imbrace their malicious intents
 and enterpriſes which all true ſubiects ought to ſtudie to eſchue: Be
 it therefore enacted by authority aforeſaid, That none offender in any
 kind of high treaſons whatſoever they be, their aydoers, conſentors,
 counſailors and abbettors, ſhall be admitted to have the benefit or privi-
 ledges of any maner of ſanctuary, conſidering, that matters of trea-
 ſons toucheth ſo nigh, both the ſuertie of the King our ſoveraign

ſlaundering
 the King,
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 ſon.

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Treasons
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1st St. 27
El. cap. 1.

the forfei-
ture.

this Statute
made in
England to
be of force
in Ireland
the English
St. rep.
1. 8. cap. 1.

Lord his person, his heyres and successors. And over that be it enacted by authority aforesaid, That if any of the Kings subjects, denizens, or other, doe commit or practise out of the limits of this Realm in any outward parts, anie such offences which by this Act are made, or heretofore have bin made treason: that then such treasons whatsoever they be that shall so happen to be done or committed, shall be enquired and presented by the oathes of twelve good and lawfull men, upon good and probable evidence and witness, in such shire and County of this realm before such persons as it shall please the Kings highness to appoint by commission under his great seal, in like maner and form as treasons committed within this Realm have been used to be enquired of and presented, and that upon everie inditement and presentment founden and made, of any such treasons, and certified into the Kings Bench, like proces and other circumstance shall be there had and made against the offendours, as if the same treasons so presented, had lawfully found to be don and committed within the limits of this Realm, and that all proces of outlarie hereafter to be made and had within this Realm, against any offendours in treason, being resiant or inhabited out of the limits of this Realm, or in any other of the parts beyond the Sea, at the time of outlarie pronounced against them, shall be as good and effectual in the law, to all intents and purposes, as if such offendours had been resiant and dwelling within this Realm, at the time of such process awarded, & outlarie pronounced. And be it further enacted by authority aforesaid, that every offender, and offendours, being lawfully convict of any maner of high treasons, by presentments, confession, verdict or proces of outlarie, according to the due course and custom of the common law of this Realm, shall lose and forfeit to the Kings highness his heyres and successors, all such lands, tenements, and hereditaments, which any such offender or offendours shall have of any estate of inheritance in use or possession by any right, title, or meanes within the Realm of England or elsewhere within any the kings dominions, at the time of any such treason committed, or any time after. Saving to every person or persons, their heyres and successors other then the offendours in any treasons, their heyres and successors, and such person and persons, as claim to any their uses, all such right, titles, and interestes, possessions, leases, rents, offices, and other profits, which they shall have at the day of committing such treason, or at any time afore, in as large and ample maner, as if this Act had never been had or made. Considering that this estatute made in the Realm of England is most beneficial, and expedient to have due execution within the Kings land and dominion of Ireland, especially in respect of the high rebellion here lately committed, and that the odible infamies against the King and Queen, in the same Act expressed and other offences, abuses, and abominations, there mentioned principally, have bin promulged, pronounced, done, and attempted within this said land. Be it therefore established, ordained, and enacted, by authority of this present Parliament, That the aforesaid estatute & ordainance, & every thing & things therein contayned, be established, confirmed, accepted, deemed, iudged, and taken, for a good and right law, within this the Kings Land and dominion of Ireland and to be as good, effectual, and of the same strength, qualitie, effect, force, and vertue, to all intents, and purposes, within the said land. as the same is or ought to be in the Realm of England. And be it further enacted by authority aforesaid, that the said estatute and Act made in England, and every thing therein contained, shall have relation and take

take effect within this land of Ireland, against all offenders contrary to the form thereof from the twentieth day of May the twentieth year of the Kings most noble reign.

CAP. VIII.

An Act for First Fruits. Rot^m Parliament cap. 10.

P Rayeth the Commons in this present Parliament assembled, That whereas at a Parliament holden upon a prorogation at Westminster within the Realm of England the third day of November, in the twenty six year of the Reign of our most dread Sovereign Lord King Henry the eight, amongst other was ordeyned, and enacted, that the Kings highness his heyres and successors, Kings of the Realm of England, should have and enjoy from time to time to endure for ever, of every, such person and persons, which at any time after the first day of January, next ensuing the said iii. day of November. should be nominated, elected, perfected, presented, collated, or by other meanes appointed to have any Archbishopricke, Bishopricke, Abbacy, Priorie, Colledge, Hospital, Archdeaconry, Deanry, Proboship, Prebend, Parsonage, Vicarage, Chauntry, free chappel, or other dignity, benefice, office or promotion spirituall, within the said Realm, or elsewhere within any the Kings dominions of what name, nature or quality soever they be, or to whose foundation, patronage, or gift soever they belong, the first fruits, revenues, and profits for one year, of every such Archbishopricke, Bishopricke, Abbay, Monastery, Priory, Colledge, Hospital, Archdeaconry, Deanry, Proboship, Prebend, parsonage, Vicarage, Chauntry, free chappel, or other dignity, benefice, office, or promotion spiritual aforesaid, whereunto any such person and persons, shall after the first day of January be nominated, elected, perfected, presented, or by any other means appointed as in the said Act more at large is contained. And considering the great decay of the Kings revenues within this his Graces land and dominion of Ireland, and what great, excessive and inestimable, charges his highness hath been at, and sustained, and also daily sustayneth for the maintenance, tuition and defence of his Graces subjects, and for the destruction, exile and banishing of his enemies, traitors, and rebels within this his land and dominion of Ireland, and for such causes and considerations, as appeareth by the said Act made at Westminster the third day of November. Be it ordeyned, enacted, and established by authority of this present Parliament, that the King our Sovereign Lord his heyres and successors, Kings of the said Realm of England, and Lords of this land and dominion of Ireland, shall have and enjoy from time to time to endure for ever, of every such person and persons which at any time after the first day of this present Parliament, shall be nominated, elected, perfected, presented, collated or by any other meanes appointed to have any Archbishopricke, Bishopricke, Archdeaconry, Deanry, Prebend, parsonage or vicarage, within the said land and dominion of Ireland, of what name, nature, or qualitie soever they be, or to whose foundation, patronage, or gift soever they belong the annate commonly called within this land the (ane) first fruits, revenues and profits for one year, of every such Archbishopricke, Bishopricke, Archdeaconry, Deanry, Prebend, Parsonage and Vicarage aforesaid, whereunto any such person or persons shall at any time or times after the said first day of this present Parliament be nominated, elected, perfected, presented, collated, or by any other meanes appointed, And that every such person and persons, before any actual, or real possession or meddling with the profits of any such Archbishopricke, Bishopricke, Arch-

Of first
fruits Ir.
St. 28 H. 8.
Cap. 26. Ir.
St. 2 El.
Cap. 3
Eng. St.
26 H. 8.
Chap. 3

One yeares
fruits to
whomever
they belong
as Patron.

hitherto the
recital of
the Act in
Eng.

Beginning of
of the Act.

They may
compound
for the first
fruits

The Area-
sor of
Coram
ts com-
pound and
shall the an-
nate.

The Bonds
to remain in
the Hana-
per, and the
money paid
there.

Deaconry, Deanry, Prebend, Parsonage or Vicarage, shall satisfy, content and pay, compound, or agree, to pay to the Kings use, at reasonable dayes upon good suerties the said annat or ane, the first fruits and profits for one year. Be it also enacted by authority aforesaid, that the Chancelor of Ireland, the Master of the Rolls, and the underthesaurer for the time being, or any two of them, so as the said underthesaurer be one of the said two, or such other persons or person as shall please the Kings highness, his heires or successors from time to time, at his or their pleasures to name & depute by commission or commissions under the great seale, shall have power & authority as well to examine and search for the just and true value of the said annate, first fruits and profits by all ways and means that they can, as to compound and agree for the rate of the said annate, and first fruits and profits, and to shall and limit reasonable dayes upon payment thereof upon good and sufficient suerties or suerty, by writings obligatorie by their discretion, and if composition or agreement be had or made for the same annate, first fruits and profits before the said Lord Chancelor, the Master of the Rolls, & the underthesaurer for the time being, or any two of them, so as the said underthesaurer be one of the said two, that then the writings obligatorie or mony taken for the same shall rest, remain & abide in the hands of the underthesaurer, or in the Hanaper of the Kings Chauncery in Ireland, there safely to be kept to the Kings use, and the mony to be due of such writings obligatorie or to be received in hand by reason of any such composition, shall be payed unto the said underthesaurer, or in the said Hanaper, to the clerk of the Hanaper for the time being. And that the said underthesaurer for such writings obligatorie and mony as cometh to his hands, or ought to come to his hands, shall make a true and a just accompt thereof, And that also the said Clerk of the Hanaper for such writings and mony, as he receiveth or ought to receive, shall make a just and a true accompt thereof, like as he is bound to do of the mony received of the profits of the Kings great seal, and if composition or agreement be had or made for the said annat, first fruits and profits afore any person or persons to be deputed by the Kings highness his heires or successors, by Commission under his great Seale, that then the writings obligatorie, and mony taken for the same, shall be delivered to the said underthesaurer, or else where to whom it please the Kings highness his heires and successors to give authority by commission under his great seale, to receive the same. And it is also ordained and enacted by authority aforesaid, that every writing of acquittance subscribed with the hand and name, of the underthesaurer, clerk of the Hanaper, or other commissioners aforesaid, or any of them witnessing the receipt of the same annate, first fruits and profits, or any part thereof, & all writings obligatorie to be taken for payment of the said annate, ane, first fruits, and profits, by and afore the said Lord Chancelor, the Master of the Rolles, and Underthesaurer, or any two of them as is aforesaid, or by and afore any other person or persons to be deputed to compound and agree for the said annate, ane, first fruits and profits, as is aforesaid shall be of the same strength, force, vertue, qualitie and effect to all intents and purpose, within this land and dominion of Ireland, as all such writings of acquittances and writings, obligatorie subscribed, and taken by and afore such person and persons, as be limited and appointed by the said Act made at Westminster the said third day of November within the Realme of England, and that upon certificat hereafter to be made into the Kings Chauncerie of any such writing obligatorie to be taken for payment of such annate, first

fruits,

fruites, and profits, like process and execution shall be thereupon made, and had against any person spiritual or temporal, as hath been accustomed to be made against any lay person upon certificat of writings obligatory, of the statute of the staple. And that no person shall be compelled to pay for any writing obligatorie to be made for the said payment of the said first fruites, above eight pence, nor for any acquittance to be made for any receite of such first fruites above foure pence: And such person or persons as shall be deputed by the Kings highness by commission under the great seale of England and Ireland, to compound and agree for the said first fruites, shall at the end of every six moneths next after the date of their commission, and so from six moneths to six moneths deliver or cause to be delivered, unto the undersaurer of this foresaid land, for the time being, or elsewhere, to such commissioners as shall be appointed as is aforesaid, to receive the same, aswel all such money as all such specialties: and bandes as they shall have taken for the payment of the said first fruites, by indenture to be made between them and the said undersaurer or other commissioners as is aforesaid concerning the certainty and number of the summes of money specialties and bandes by them taken and received, and if any person or persons to whome any deputaion shall be made by commission to compound and agree, for the payment of the said first fruites, their heyres, executors, or administrators, conceale or imbeasle any of the said specialties, and bandes taken for the payment of the said first fruites, and doe not deliver them according to the tenour of this Act, that then every such offenders shall forfeit that office of deputaion, and over that, make fine and ransome at the Kings owne pleasure and will. And be it also enacted by authority aforesaid, That all and every Article, provision, and thing whatsoever they be, enacted or comprised within the said Act, made at Westmynster the thirde day of November, for the suertie of payment of the said first fruites in the said Realm of England, be in the same force and strength, vertue, qualitie, and effect, to all intents and purposes within this land and dominion of Ireland, as they and every of them be within the said Realm of England. Be it further enacted by authority aforesaid, that annat, first frutes, and profits of benefices, heretofore accustomed to be taken and paide, by and to, the executors or administrators of the Incumbents of the said Benefices, or to any other person or persons, within this Land or dominion of Ireland, shall from the said first day of this present Parliament, cease and be extinct, and no longer be paid ne taken, but only to the Kings highness his heyres and successors, in such form as is above mentioned in this Act. Provided alway, and be it enacted by authority of this present Parliament, That in as much as by this present and aforesaid Act our Soberaign Lord the King his heyres and successors, hath and shall have for ever, among other the premiles, the annat and first fruits of parsonages, vicarages, and such benefices as hath cure, that our Soberaign Lord his heyres and successors for ever, at every aboydance of any such parsonage, vicarage, or benefice, by any maner mean, of the illness and profits comming or growing of any such parsonages vicarages or benefices, shall provide and finde a sufficient and an able Priest to serbe the Cure from any such aboydance, till that one be admitted and instituted to the same,

C A P. IX.

An Act of Delabydes lands in Carbric. Rot' Parl' Cap' 23.

FOrasmuch as our Soberaign Lord the King, after the death of Sir Walter Delahide Knight, is just and rightfully entituled to have,

The money
or Bonds to
be put in
every halfe
year,

The King
to finde a
Curate in
the aboy-
dance.

Ar. St. 27
El. Cap 1
restitution

in Blood of
Lawrence
Delahyde.

have, possels and enjoy, all the manours, lordships, lands, tenements, and other hereditaments, whereof the said Sir Walter or any other or others, to his use, was seised, or possessed, the first day of April in the yeare of our Sovereign Lord the King that now is the xxv. in fee simple or fee tayle, to his Grace, his heyres and successors for ever, and that by reason of that wilful and disloyal traditor, James Delahyde son and heyre of the said Sir Walter, which was one of the chief counsaylours of that traditour, and rebell Thomas fitz Gerald in all his traytors proceedings, and that it is thought that the said Thomas fitz Gerald & James were partly ruled & counsayled by the said Sir Walter, and Jenet Eustace then his wife, in all their traditors purposes, and in as much as diverse of the said manors, lordships, lands, tenements and other the premisses is in Carbriz, and situate in these places, whereby the Kings Subjects, thereunto adjoyning, mought be the better defended, and in that, that when the said Sir Walter did take upon him the rule and governance of the said manors and other the premisses in Carbriz his negligence and the love and favour that he and his servants bare to the said James Delahyde, John Delahyde, and Sir Edward Delahyde, other of the sons of the said Sir Walter, certain of the Castles and Piles, being builded upon the said lands, were burned, spoyled, and clearly cast down by his said sonns, and other the adherents of the said Thomas fitz Gerald, to the great unquietness and loss of the Kings true subjects. And to the intent that his Grace may have all the said lands and tenements in Carbriz, whereby his Grace may have the better occasion to defend his subjects, so that the said Sir Walter shall have no meddling ne no part thereof, whereby by his negligence and favour, no like inconvenience as is aforesaid may ensue, and that in special, for that that his Grace may rightfully be entituled to the same, if he would put his lawes in execution, Be it enacted, ordeyned, and established by authority of this present Parliament, That our Sovereign Lord the King, his heyres and successors for ever, from the feast of Easter that was in the yeare of our said Sovereign Lord the xxvi. shall have, hold possels, and enjoy, all the manors, Lordships, lands, tenements, and other hereditaments with their appurtenances, whereof the said Sir Walter Delahyde or any other, or others, jointly or severally, to his use was seised or possessed in fee simple or fee tayle the xx. day of Januarie in the xxv. yeare of our said Sovereign Lord, or at any time after in the Barony of Carbriz, with all the issues and profits of all the said landes and tenements and other the premisses, with their appurtenances in Carbriz, from the feast of Easter aforesaid, and that his Grace shall have and enjoy all the goods and cattals that at any time of right did belong or appertain to the said Sir Walter, which came to the possession of the Kings underthesaurer, and general receibor of this his land of Ireland, and for the further suertie of the said lands, and other the premisses to which our said Sovereign Lord is rightfully entituled, immediatly after the death of the said Sir Walter. Be it enacted, ordeyned and established by authority of this present Parliament, That our Sovereign Lord the King his heyres and successors for ever, from the day of the death of the said Sir Walter Delahyde, shall have, hold, possels and enjoy all other the manors, Lordships, lands, tenements, and other hereditaments with their appurtenances, whereof the said Sir Walter Delahyde, or any other or others jointly or severally to his use, was seysed or possessed in fee simple or fee tayle, the twenty day of January, in the xxv. yeare of our said Sovereign Lord, or at any time after, with-

in the land of Ireland. Saving to John Talbot of Dardieslon and to his heirs, all such right, title, interest, entre and possession, as he or they have to any of the premises.

CAP. X.

An Act how persons robbed shall be restored to their goods. *Rot. Parl. cap. 15.*

BE it enacted by this present Parliament, That if any felon or felons hereafter do rob or take away any money, goods, or cattalls, from any of the Kings subjects from their person or otherwise, within this land of Ireland, and therefore the said felon or felons be indicted, and after arraigned of the same felonie, and found guiltie thereof, or otherwise attainted by reason of evidence given by the partie so robbed, or owner of the said money, goods, or cattalls, or by any other by their procurement, that then the partie so robbed or owner, shall be restored to his said money, goods, and cattalls, and that as well the Justices of Seale deliberie, as other Justices before whom any such felon or felons shall be found guiltie, or otherwise attainted by reason of evidence given by the partie so robbed, or owner, or by any other by their procurement, have power by this present Act to award from time to time, writs of restitution for the said money, goods and cattalls in like manner, as though any such felon or felons were attainted at the suit of the partie in appeal.

Restitution to be made to the owners on production of the felon.
1r. St. 3, & 4.
Ph. & Mar.
cap. 6.
Eng. St. 21
H. 8. c. 11.

As if the felon were attainted into Appeal.

CAP. XI.

An Act restraining Tributes to be given to Irishmen. *Rot. Parl. cap. 16.*

PRayen the Lords spiritual and tempozal, and the Commons in this present Parliament assembled, that whereas the Kings Irish enemies, have been heretofore of great force and strength, within this land of Ireland, by reason whereof they have charged divers the Kings townes and faithful subjects with tributes and exactions, for consideration that the said Irishmen, which do take the said tributes should defend the Kings said subjects, which they have not done, ne do not, and yet the Kings said subjects at the charge to pay them the said unlawful impositions to their utter impoverishing. Wherefore and forasmuch as our Soberaign Lord the King, having respect to the povertie of his said poor subjects of this his land of Ireland, hath sent his armie royal hither for the exonerating of his Graces said subjects, whereby his Graces said subjects are highly animated and fortified, and the said Irish enemies greatly enfeebled, so as nothing lieth in them to do for having any such tribute. Be it therefore by authoritie of this present Parliament enacted, established, and ordained, That no manner Irish man within this land of Ireland, shall have any tribute, exaction, or any other unlawful impositions, of, or upon any the Kings townes or faithful subjects within the same land, but that all and every the Kings said townes and subjects, shall be clearly from henceforth for evermore acquitted, discharged, and exonerated from all and every such tributes, any letters or commandements sent to them or any of them, or hereafter to be sent contrary to this present Act, in any wise notwithstanding.

No tributes to Irishmen for defending of the Kings subjects.

CAP. XII.

An Act against Proctors to be any member of the Parliament. *Rot. Parl. cap. 19.*

Forasmuch as at every Parliament begun and holden within this land, two Proctors of every Diocess within the same land, have been used and accustomed to be summoned and warned to be at the same Parliament, which were never by the order of the law, usage, custome, or otherwise any member or parcel of the whole bodie of the Parliament, nor have had of right any voice or suffrage in the same, but onely to be there as counsailors and assistants to the same, and upon

Proctors shall be no members of Parliament

on such things of learning, as should happen in controverſie to declare their opinions, much like as the Convocation within the Realm of England, is commonly at every Parliament begun and holden by the Kings highneſſe ſpecial licence, as his Majeſties Judges of his ſaid Realm of England, and divers other ſubſtantial and learned men, having groundly enquired and examined the root and firſt eſtabliſhment of the ſame, do clearly determine, and yet by reaſon of this ſufferance, and by the continuance of time, and for that moſt commonly the ſaid Doctours have been made privie to ſuch matters as within this land at any time have been, to be enacted and eſtabliſhed, and their advices deſired and taken to the ſame, they now of their ambitious mindes and preſumption inordinately deſiring to have authoritie, and to intermedle with every cauſe or matter without any juſt ground or cauſe reaſonable to the ſame, doe temerariouſly preſume, and uſurpitiſly take upon themſelves to be parcel of the body, in maner claiming that without their aſſents nothing can be enacted at any Parliament within this land, which as it is thought, cometh not without the procurement and maintenance of ſome of their ſuperiours, to the onely intent that the ſaid Doctours for the more part, being now their Chaplaines and of mean degree, ſhould be the ſtoppe and lett that the diſbeliſh abuſes, and uſurped authoritie and juriſdiction of the Biſhop of Rome. (by ſome men called the Pope) nor of themſelves ſhould not come to light or knowledge, that ſome good and godly reformation thereof might be had and provided. Wherefore be it enacted, ordained, and eſtabliſhed by authoritie of this preſent Parliament, That the ſaid Doctours ne any of them ſo ſummoned or warned to any Parliament begun or holden, or to be begun and holden within this land, is ne ſhall be any member ne parcel of the bodie of the ſame Parliament, ne ſhall give ne have any voice, opinion, aſſent, or agreement to any Act, prohibition or ordinance to be regarded ne enacted in any Parliament within this land, ne yet their voices, aſſents, or agreements or opinions, ſhall not be neceſſarie ne requiſite to any ſuch act, prohibition, or ordinance, but that by authoritie aforeſaid, every act, ordinance, prohibition, thing or things, made, ordained, or eſtabliſhed, or to be made, ordained, or eſtabliſhed, at any time in any Parliament holden, or to be holden within this land, without the aſſent, conſent, or agreement of the ſaid Doctours, or the more part of them, or contrary to the ſame, is and ſhall be good and effectual to all intents and purpoſes according to the tenour, purport, meaning and effect of every ſuch Act, prohibition or ordinance, and by the ſame authoritie, the ſaid Doctours ne any of them ſhall be accepted, reputed, deemed or taken from the firſt day of this preſent Parliament, as parcel or any member of the ſaid Parliament, or any other Parliament hereafter to be holden within this land, but onely as counſailours and aſſiſtants to the ſame. Any law, uſage, cuſtomes, preſcription, or any other cauſe or matter, thing or things, whatſoever it or they be in any wiſe to the contrary notwithstanding.

C A P. XIII.

An Act againſt the Authority of the Biſhop of Rome. Rot. Parl. cap. 23.

Seems to be
repealed
concerning
the Pope,
per Sr. 2 El.
The miſ-
chief that
attended the
Popes au-
thority.

FORasmuch, as notwithstanding the good and holſom lawes, or-
dinances, and ſtatutes heretofore made, enacted and eſtabliſhed by
the Kings highneſſe our moſt gracious Soberaign Lord, and by the
whole conſent, of this high court of Parliament for the extirpation,
abolition, and extinguiſhment out of this land of the pretended
power, and uſurped authority of the Biſhop of Rome (by ſome cal-
led the Pope) uſed within the ſame, which did obfuſcat and wreſt Gods
holy

holy word and Teſtament a long ſeaſon from the ſpiritual and true
 meaning thereof, to his worldly and carnal affection, as pompe, glo-
 rie, avarice, ambition, and tyranny, covering and ſhadowing the
 ſame with his humane and craftie deviſes, traditions, and inventions
 ſet forth under the cloke of vertue, only to promote and ſtabliſh his do-
 minion aſwell both upon the ſoules and bodies, as alſo upon the tem-
 poral goods of all Chriſtian people, excluding not only Chriſt out of
 his Kingdom and rule of mans ſoule as much as they might, but alſo
 other temporal Kings and Princes out of their Dominions, which they
 ought to have by Gods law, upon the bodies and goods of their ſub-
 jects, whereby he did not onely robbe the Kings Maieſtie, being onely
 the ſupreme head of the realm of England, and of this his land of Ire-
 land immediatly under God, of his honor, right, and preheminance
 due unto him by the law of God, but alſo ſpoyled this his land of Ire-
 land yearly of innumerable treasure, & beſides the loſſes of the ſame,
 deceived the Kings loving and obedient ſubjects, perſwading to them
 by his Lawes, Bulls, and other his deſeivable meanes, ſuch dreames,
 vanities and fantaſies, as by the ſame many of them were leduced and
 conveyed unto ſuperſtitious and erronious opinions, ſo that the Kings
 Maieſtie, the Lords ſpiritual & temporal, and the Commons in this his
 land being overwearied & fatigated with the experience of the infinite ab-
 hominations and miſchiefe proceeding of his impoſtures and craftie
 coloured deceipts, to the great damages of ſoules, bodies, and goods,
 were forced of neceſſitie for the publique weale of this land to exclude
 that forreine pretended power, juriſdiction and authority uſed and
 uſurped within this ſaid land, and to deviſe ſuch remedies for their
 reliefe in the ſame, as doth not onely redound to the honour of God,
 the high praiſe and advancement of the Kings Maieſtie, and of this
 his land, but alſo to the great and inſtimable utilitie of the ſame:
 which ſaid good and hoſſome lawes, notwithstanding ſo made and here-
 tofore eſtabliſhed, it is come to the knowledge of the Kings highneſs,
 and alſo to divers and many his loving, faithfull and obedient ſub-
 jects, how that divers ſeditious and contentious perſons, being impes
 of the ſaid Biſhop of Rome and of his See, and in heart members of
 his pretended monarchy, doe in corners and elſewhere, as they dare
 whiſper, inculc, preach and perſwade, & from time to time inſtil into the
 eares and heads of the poore, ſimple and unlearned people, the advance-
 ment and continuance of the ſaid biſhops fained and pretended au-
 thority, pretending the ſame to have his ground and originall of Gods
 Law, whereby the opinions of many be ſuſpended, their judgments cor-
 rupted and deceived, and diverſitie in opinions augmented and encrea-
 ſed to the great diſpleaſure of Almighty God, the high diſcontentation
 of our ſaid moſt dread Sovereign Lord, and the interruption of the
 unitie, love, charity, concord & agreement that ought to be in a Chriſti-
 an Religion and congregation. For avoyding whereof, and of all
 ſuch ſeditious perſons, as be the meanes and authors of ſuch inconve-
 niences. Be it enacted, ordained, and eſtabliſhed by the King our Sove-
 raign Lord and the Lords ſpiritual and temporal, and the commons
 in this preſent Parliament aſſembled, and by authority of the ſame,
 That if any perſon or perſons, dwelling, demurring, inhabiting, or
 reſiant within this land, of what eſtate, dignitie, preheminance, order
 degree or condicion ſoever he or they be, after the firſt day of November,
 which ſhall be in the yeare of our Lord God a thouſand five hundred
 thirty and ſeven, ſhall by writing, cyphering, printing, preaching or
 teaching, or by any deed or Act, obſtinately, or maliciously hold, or
 ſtand,

Excluding
 Chriſt out of
 his King-
 dom, mans
 ſoule, and
 Kings and
 Princes out
 of their do-
 minions.

Spoiled this
 land of Ire-
 land of in-
 numerable
 treasure.

The neceſſi-
 ty of exclu-
 ding the for-
 reign pre-
 tended pow-
 er.

The enact-
 ing part.

that none
by any deed
or set main-
tain or de-
fend the au-
thority or
power of the
Bishop of
Rome.

The penal-
ty.

Justices of
Assise and of
the peace
are to in-
quire of the
offences
done con-
trary to
this Act.

The pre-
sentments
to be certifi-
ed into the
Kings
Bench under
the penalty
of 40 lb.

Inquiry to
be made at
the visita-
tion of such
Ecclesiasti-
cal persons
as are sus-
pected.

stand with, to extoll, set forth, maintain or defend the authority ju-
risdiction or power of the Bishop of Rome, or of his See heretofore clai-
med, used or usurped within this land, or by any pretence, obstinately
or maliciously, invent any thing for the extolling, advancement, set-
forth, maintenance or defence of the same, or by any part thereof or by any
pretence, obstinately or maliciously, attribute, any manner of jurisdic-
tion, authority or preheminance to the said See of Rome, or to any
Bishop of the same See for the time being, within this land, that then
every such person or persons so doing or offending, their aydoers, assi-
stants, comforters, abettors, procurers, maintainers, fautors, conceal-
ors counsailors & every of them, being thereof lawfully convicted, accor-
ding to the laws of this land, for every such default & offence, shall incur
& run into the dangers, penalties, pains & forfeitures ordained and pro-
vided by the Statute of provision and premunire, made in the xvi. year
of the reign of the noble and valiant Prince King Richard the second,
against such as attempt, procure or make provision to the See of
Rome, or elsewhere, by any thing or things, to the derogation or con-
trary to the Prerogative royal, or jurisdiction of the crown and digni-
tie of the Realm of England, the lawes, customes, and usages of this
land. And to the intent that this Act at all times, may be well and
truly executed, and the offenders thereof, have and receive condigne
punishment, according to their demerits. It is enacted by the authori-
tie aforesaid, that as well Justices of Assises in their Circuits, as Ju-
stices of Peace within the limits of their Commission and authorities,
or two of every such Justices of Peace at the least, whereof one to be of
the Quorum, shall have full power and authority to inquire of all offen-
ces, contempts, and transgressions, perpetrated, committed or done
contrary to this Act in like manner and form as they may of other offen-
ces against the Kings Peace, and shall certify every presentment afore
them or any of them, had or made concerning this Act or any part
thereof before the King in his Bench of this land, within fortie daies
next after any such presentment had or made, if the term be then open,
and if not, then at the first day of the next term following the said fortie
daies, upon pain that every of the Justices of Assise or Justices of
Peace, before whom such presentment shall be made, making default
of such certificate, contrary to this Act, shall lose and forfeit fortie
pounds to the Kings Highness. And it is enacted by the authoritie a-
foresaid, that the Justices of the Kings Bench, as well upon every
such certificate, as by inquirie before themselves within the limits of
their authorities, shall have full power and authority to hear, ordain,
and determine every such offence done or committed, contrary to this
Act, according to the lawes of the Realm of England, and of this land,
in such like manner and form, to all intents and purposes, as if the per-
son or persons, against whom any presentment shall be had upon this
Statute had, be presented upon any matter or offence expressed in the
said Statute made in the said xvi. year of King Richard the second.
And it is also enacted by the authoritie aforesaid, that all and every
Archbishops, Bishops, and Archdeacons within this land, their Com-
missaries, Vicars general, and other their Ministers in every their vi-
sitations and seams, shall make diligent search, enquirie, and exami-
nation of all and every Ecclesiastical and Religious persons, within
and of their jurisdiction, which shall be suspected, accused or deemed,
to be a transgressor or offender of this Act, and if upon search, enquirie,
and examination any Ecclesiastical or Religious person shall be presen-
ted, suspected, accused, or found culpable, by witness, or confession, of
any

any offence contrarie to this Act, and be present, at the time of such presentment, examination or accusation, that then every the Archbishops, Bishops and Archdeacons, their commissaries, vicars general, and other their Ministers, afore, or to whom any such person shall be presented, suspected, accused or found culpable, as is aforesaid, shall commit every such person so presented, accused, or found culpable, if he be presented as is aforesaid, to the next common Gaole of the Shire, where such enquiry, examination, or accusation, shall be had or made, or else by good and sufficient suerties to be bound by obligation to the Kings use, shall let everie such person to bayle by their discretions to appeare before the King and his counsaile, or his Graces Deputie of this land in the Castle of Dublin, within xv. dayes next after such enquiry, presentment, or accusation, if the Terme be then open and kept, or else in the first day of the Terme next following. after the said enquire, presentment, or accusation, and at the said day limited for such apparance, they shall certifie into the said castle of Dublin, by writing under their scales, as well the said bond and the obligation taken for such appearance, as the presentment examination, accusation or conviction of every such person, and all depositions and circumstances thereof, and the name of the Gaole whereunto they have committed the said person, and if any such ecclesiasticall or religious person, being presented, suspected, or accused in any seane or visitation. be not present all the time of the said seane or visitation as is aforesaid, that then, nevertheless every the said Archbishops, Bishops, and Archdeacons, their commissaries, vicars general and all other their ministers, afore, or to whom any such presentment, suspected or accusation shall be had or made, shall certifie every such presentment, suspicion or accusation, and all circumstances thereof, as is aforesaid, unto the castle of Dublin, within fifteene daies next after such presentment, suspicion or accusation, had or made, or in the first day of the Terme next following, after such presentment, suspicion, or accusation, in such maner and forme as is afore rehearsed, & in case any ecclesiasticall or religious person being presented, suspected, or accused of any offence done, or attempted, contrary to this statute, be thereof convicted by confession, or witness, before any Archbishop, Bishop, or Archdeacon, or before any the Commissaries, Vicars general, or other their ministers in their Seanes, or visitations, or before the Kings Counsaile in the castle of Dublin, that then every such spiritual and religious person so being convicted, shall suffer such paines, penalties, & forfeitures, as be expessed in the said estatute made in the sixteenth yeare of King Richard the second. It is also enacted by the authority aforesaid, That if any ecclesiasticall Judge, or visitour, doe voluntarily conceale, cloake, hide, or colour any presentment, accusation or confession, that shall be made to him concerning this estatute, and doe not certifie every such accusation, presentment, or confession before the King or his Deputie, and his counsaile in the Castle of Dublin in such maner and form, as is above specified in this statute: That then every such ecclesiasticall Judge and visitour, so wilfully offending, for every such default shall forfeit xl. li. the one halfe thereof to the Kings highness, the other halfe to such person as will sue for the same, by original writ, bill, plaint, or information, in any of the Kings Courte, in which suit, no essoine, protection, or wager of law shall be admitted or allowed. And for stronger defence and maintenance of this Act, it is ordained and enacted by authority aforesaid, that all and every ecclesiasticall Judge, Ordinary, Chancellour, Com-

How certifi-
cates of Ec-
clesiasticall
persons con-
victed shall be
made.

If Ecclesia-
stical per-
sons be con-
victed that
they
shall suffer
such penal-
ties as are
in the Stat.
of the 16 R.
2.

If the Ec-
clesiasticall
Judge or
Visitour do
not certifie
the present-
ments he
shall forfeit
40 li.

Who shall
take the
Oath of
Supremacy

Oath of
Supremacy

All such as
have or
office of the
King, shall
take the
Oath.
So shall all
Ecclesiasti-
cal persons
and such as
are prefer'd
to any degree
in any Uni-
versity.

High trea-
son to refuse
the Oath.

millarie, Official, Vicar general, and other Ecclesiasticall Officer, and minister, of what dignitie, preeminence, or degree soever they shall be, and all and every temporall Judge: Justice, Maior, Bayliffe, Sheriffe, undersherif, Escheator, Alderman, Jurate, Constable, Headborough, thirdborough, burtholder, and every lay officer, and minister, to be made, created, elected or admitted within this land of what estate, order, degree, or condition soever he shall be, from and after the said first day of November, shall before he take upon him the execution of such office, make, take, and receive a corporall oath upon the Evangelists before such person or persons, as have, or shall have, authority to admit him, that he from henceforth shall utterly renounce, refuse, relinquish and forsake the Bishop of Rome, and his authority, power, and iurisdiction, and that he shall never consent ne agree, that the Bishop of Rome shall practise, exercise or have any manner of authority, jurisdiction, or power within this land, but that he shall resist the same at all times to the uttermost of his power, and that from henceforth he shall accept, repute, and take the Kings Majestie to be onely suprem head in earth of the Church of England and of Ireland, and that to his cunning, wit, and uttermost of his power, and without guile, fraud or other undue meane, he shall observe keepe, maintain, and defend the whole effects and contents of all and singular Acts, and Statutes made and to be made, within this Land, in derogation, extirpation, and extinguishment of the Bishop of Rome and his authority, and all other Act and Statutes, made and to be made in reformation and corroboration, of the Kings power or supreme head in earth of the Church of England, and Ireland, and this he shall doe against all manner of persons, of what estate, dignitie, degree or condition they be, and in no wise doe or attempt, nor to his power suffer to be done or attempted, directly or indirectly, any thing or things, privily or apertly to the let, hinderance, damage, or derogation thereof, or of any part thereof by any manner of meanes, or for any manner of pretence, and in case an oath be made or hath bene made by him to any person or persons, in maintenance, defence, or favour of the bishop of Rome, or his authority jurisdiction or power, hee repute the same as vaine and adnihilate, to help him God, & all Saints, and the holy Evangelists. And it is also enacted, by authority aforesaid, that all and every person and persons spiritual and temporal, suing livery, restitution, or any other lemaine out of the King his heyres or succloers hands, or which shall be sworn to the King, his heyres or succloers, or that shall have any office, fee, or rounce, of his most gracious gift, or of his Majesties heyres, or succloers, or shall be retyened in service with his Grace. his heyres or succloers, shall make, take, and receive the said oath, and that also all and every religious person at the time of his or their possession or entry into Religion, and every other ecclesiasticall person, at the time of his taking of Orders, and, all and every other person which shall be promoted or preferred to any degree of learning in any University within this land, at the time of his promotion or preferment, and every of them shall make, take and receive the said oath before his or their Chancelloz, Ordinary, of their Commissarie of such University. And it is also enacted by authority aforesaid, That if any person or persons, limited or commaunded by authority of this Act to make the said oath or commaunded by any other person or persons, authorized by the Kings highness commission under his great seale, prebie seale or his seale ordeyned for causes ecclesiasticall, to makee the said oath, obstinately refuse that to doe, that then every such offence & contempt, shall

ſhall be high treaſon, and the offendor thereof being lawfully convicted ſhall ſuffer ſuch paines of death, and other forfeitures, penalties and loſſes, as is limited and accuſtomed in caſes of high treaſon by any lawes or ſtatutes, of this land heretofore made. Provided alwayes, and be it enacted, that this Act ne any thing or things in the ſame rehearſed, mentioned, or comprized, be in any wiſe prejudicial, hurtfull, derogatorie to the ceremonies, uſes, and other laudable and politique ordinances for a tranquillitie, diſcipline, concord, devotion, unitie, and the decent order heretofore in the Church of Ireland uſed, inſtituted, taken and accepted, nor to any perſon or perſons accordingly, uſing the ſame, or any of them. Provided that notwithstanding this Act or any other Act made for the taking away of the ſaid Biſhop of Romes uſurped power. authority, preeminence, jurisdiction or any thing or things in the ſame comprized, that all and every Archbiſhop, Biſhop, Archdeacon, Commiſſarie, and officiall, and every of them, ſhall and may uſe and exerciſe, in the name of the King only, all ſuch Canons, Conſtitutions, Ordinances, and Sinodalls provincial, being already made for the direction and order of ſpiritual and eccleſiaſtical cauſes, which be not contrariant, nor repugnant to the Kings lawes, ſtatutes and cuſtomes of this land, nor to the damage and hurt of the Kings prerogative royal in ſuch maner and forme as they were uſed and executed before the making of this Act, till ſuch time as the Kings highneſſe ſhall order & determin according his lawes of England, and ſuch order and determination, as ſhall be requiſite for the ſame, and the ſame to be certified hither, under the Kings great ſeale, or otherwiſe ordered by Parliament. Provided alſo that this Act or any thing therein contained, be not intended ne meant, nor ſhall be expounded nor interpreted that any diſpenſations, licences, or confirmations, for marriage or otherwiſe graunted, to any the Kings ſubjects of this land, at any time before the making of this Act, which were not repugnant to the lawes of God, the Kings lawes, or the prerogative royal: ſhall be appayred, or of any leſſe value, ſtrength, force or effect, then they were before the making of this Act.

That ſuch Canons and Ordinances which are not repugnant to the lawes of this land, nor the Kings prerogative, ſhall be continued.

C A P. XIII.

An Act for the twentieth Part. Rotul' Parliament' Cap. 25.

Forasmuch as it is, and of verie duetie ought to be the naturall inclination of all good people, like faithfull, loving, and obedient ſubjects, ſincerely to deſire, to provide not only for the publique weale of their native country, but alſo for the ſupportation, maintenance and defence of the royal eſtate of their moſt dread, benigne, and gracious ſovereign Lord, upon whom and in whom dependeth all their ioy and wealth, in whome alſo is united and knit, ſo princely a heart, and courage, mixed with mercie, wiſdome, and juſtice and alſo a natural affection joyned to the ſame, as by the great, inſeſtimable, and benevolent arguments thereof, being moſt bountifully, largely, & many times ſhewed, miniſtred, and approb'd towards his loving and obedient ſubjects, hath well appeared, which requireth a like correſpondence of gratitude to be conſidered, according to their moſt bounden duties: Wherefore his ſaid humble and obedient ſubjects, as well the Lords ſpiritual and temporal, as the commons in this preſent Parliament aſſembled, calling to their remembrance, not only the manifold and innumerable benefites daily adminiſtred by his highneſſe to them all, and to the reſidue of all other his ſubjects of this land, but alſo how long time his Majeſtie, hath moſt victoriously, by his high wiſdome and policie, to his inſeſtimable charges, in exhauſting of his Graces treaſure, out of

Ir. St. 2 El.
cap. 3.
Twentieth
part.
En. St. 26 H.
8. cap. 3.

Hitherto
the pream-
ble.
The enact-
ing part.

A twenty
parts to be
paid of the
spiritual
and tempo-
ral profits
of the cler-
gy.

Out of all
benefices or
promotions
spiritual.

Commis-
sions of balu-
ation to be
directed to
Bishops
or others as
the King
will name.

his Realm of England, protected, defended, and governed, this his land, and maintayned his people and subjects of the same in tranquillitie, peace, unitie, quietness and wealth, and amongst other of late time from the captivitie, and bondage of that late traditor Thomas fitz Gerald, and his adherents, and also considering what great excessive and inestimable charges his highness hath heretofore been at, sustained by the space of xxviii. yeares whole, and also daily sustayneth all the maintenance, tuition, and defence of this his land, and his loving subjects of the same, which cannot be sustained and borne, without some honourable prohibition and remedie may be made, found, provided and ordeined for maintenance thereof: do therefore desire and most humbly pray, that for the more suerty of continuance and augmentation of his highness royal estate, being not only now recognised, as he alwayes indeed heretofore hath been, the only supreme head in earth, next and immediately under God, of the Church of England and of Ireland but also their most assured and undoubted natural soveraigne liege Lord and King, having the whole governance, tuition, defence and maintenance of this land, and his most obedient and loving subjects of the same. It may therefore be ordeined and enacted by his highness, and the Lords spiritual and temporal, and the Commons in this present Parliament assembled. and by authority of the same, that the Kings maiestie, his heyres and successors, Kings of the realm of England for more augmentation and maintenance of the royal estate of his imperial crown and dignity of supreme head of the Church of England and of Ireland, shall yearely have, take, and enjoy, and receive united and knit to his imperial crown for ever one yearely rent or pension amounting to the value of the twentieth part of all the revenues, rentes, farmes, tithes, offerings, emoluments, and of all other profits as well called spiritual as temporal, now appertayning or belonging or that hereafter shall appertain or belong to any Archbishopricke, Bishopricke, Abbacie, Monastery, Priory, Archdeacons, Deanry, Hospitall, Commaundry, Colledge, house collegiate, Prebend, Cathedral Church, collegial Church, conventuall church, parsonage, vicarage, Chauntry, or freechapel, or other benefice or promotion spiritual of what name, nature, or quality soever they be within any Diocess of this land, the said pension or annual rent, to be yearely paid for ever to our said soveraign Lord to his heyres and successors, Kings of the Realm of England, at the feast of the Nativite of our Lord God, and the first payment thereof to begin at the feast of the Nativite of our Lord God, a thousand five hundred thirty seven, and to be paid yearely, by such as shall be appointed to have the collection thereof by this Act in such manner and forme, as shall hereafter be limited by this Act before the first day of April yearly next following, after the said feast of the Nativite of our Lord God. And it is ordeined and enacted by authority aforesaid That the said yearely rent and pension shall be taxed, rated, levied received, and paid to the Kings use his heyres and successors in manner and forme hereafter to be declared by this Act, that is to say, that the Chancellor or Keeper of the great seale of this land of Ireland for the time being, shall have power and authority to direct into every diocess in this land, severall commissions in the Kings name under his great seale as well to the Archbishop or Bishop of every such diocess, as to such other person or persons as the Kings highness shall name and appoint, commaunding and authorising the said commissioners for to be named in every such commission, or three of them at the least, to examine, search, and enquire, by all the wayes, and meanes that they

can by their discretions, of, and for the true and just, whole and entire yearly values, of all the manors, lands, tenements, hereditaments, rents, tythes, offerings, emoluments, and all other profits, as well spiritual as temporal, appertaining or belonging to any Archbishoprick, Bishoprick, Abbacy, Monastery, Priory, Archdeaconsry, Deanry, Hospital, Commaundry, Colledge, House collegiate, Prebend, Cathedral Church, Collegiate Church, Conventual Church, Parsonage, Vicarage, Chauntry, Free chappel, or to any other Benefice or Promotion spiritual within the limits of their Commission, with a clause to be contained within every such commission, that the said commissioners, or three of them at the least, shall deduct and allow, in making and rating of the said yearly values of the premises, these deductions following, and none other, that is to say, the rents resolute to the chief Lords, and all other annual and perpetual rents and charges, which any spiritual person or persons be the bound yearly to pay, or keep, or to give yearly in alms by reason of any foundation, ordinance, and all fees for Stewards, Receivers, Counsaillers, Bailiffs, and Auditors, and Synods, and Proxies, with another clause to be also contained in every such commission, that the said commissioners, or three of them at the least, shall certifie under their seals, at such daies as shall be limited by the said commissions, into the Kings Exchequer of this land, as well the whole and entire value, as the deductions aforesaid of every Archbishoprick, Bishoprick, Abbacy, Monastery, Priory, Archdeaconsry, Deanry, Hospital, Commaundry, Colledge, House Collegiate, Prebend, Cathedral Church, Collegiate Church, Conventual Church, Parsonage, Vicarage, Chauntry, Freechappel, and of all other Benefices, and promotions spiritual. And it is ordained and enacted by authority aforesaid, that the said Commissioners that shall be so appointed, or three of them at the least, shall have full power and authoritie to do, accomplish, and execute the effects and contents of their said commissions, in every behalf, and that every of the said Commissioners, before they shall execute their said commission, shall receive and take a corporal Oath before the Lord Chancellor, or Keeper of the Great Seal, or before such other as shall be appointed by the said Chancellor or Keeper of the Great Seal by the Kings Writ of *Dedimus potestatem*, that they shall diligently and truly, without favour, affection, fraud, robin, meade, dread, or corruption, do, fulfil and execute, the whole effects and contents, expressed in every such commission, within the limits thereof, to their cunning, wits, and uttermost of their power. And it is ordained and enacted by authority aforesaid, that after such a certificate made by the said Commissioners the said yearly rent and pension of the twenty part shall be set, taxed, rated, and taken justly, truly and indifferently, by the Tresaurer and Barons of the Kings Exchequer of and out of the clear yearly value of the premises that shall be above the deductions afoze mentioned, and none otherwise, and that every Archbishoprick, Bishoprick, Abbacy, Monastery, Priorie, Archdeaconsry, Deanry, Hospital, Commaundry, Colledge, House Collegiate, Prebend, Cathedral Church, Collegiate Church, Conventual Church, Parsonage, Vicarage, Chauntry, Freechappel, or other benefice or promotion spiritual, shall be severally and distinctly taxed, charged, and chargeable in the proper Diocess where they bein, for the payment of such portion of the said twentieth part, as shall be taxed and set upon them by authoritie of this Act: That is to say, every of them by and for themselves shall be taxed, charged, and chargeable in the proper Diocess where they bein, for the twentieth part of the yearly value

Deductions
to be allowed.

The Oath
to be taken
by the com-
missioners
before inqui-
ry made.

Every one
distinctly
taxed in his
proper Dio-
cess.

The Biſhop
of each Di-
oceſs to col-
lect,

And pay it
to the gene-
ral Recei-
ber of ſuch
as the King
ſhall ap-
point.

The execu-
tors of the
Biſhop, and
the poſſeſ-
ſors of their
dignities
and church-
es liable

The Biſhop
has power
to diſtrain
thoſe that
do not pay.

No Reple-
vin to be ſu-
ed.

Who ſhall
be accom-
table du-
ring the
abſoſdnce.

of their poſſeſſions, and profits to them belonging, whereſoever their ſaid poſſeſſions and profits ſhall happen to be or lie in any part of this land, and that none of them ſhall be charged nor chargeable for the payment of the other charges or portion. And it is alſo enacted by authority aforeſaid, that after ſuch certificate made into the Kings Exchequer and ſet of the twentieth part, in form abobe remembred, every Archbiſhop and Biſhop, now being, and that hereafter ſhall be charged and chargeable, to levie, collect and receive within their proper Diocels, as well in places exempt as not exempt, all ſuch ſums of money, wherewith the dignities, benefices and other promotions ſpiritual, afore mentioned within their Diocels, chargeable by this Act, ſhall be ſet, taxed and charged towards the payment of the ſaid yearly penſion, and ſhall pay and content the ſaid ſums of money, yearly before the ſaid firſt day of April, to the Kings highneſs, his undertheſaurer or general recei-
bor, of this his land for the time being, or to any other perſon or perſons, whom it ſhall pleaſe the Kings highneſs, his heirs or ſucceſſors to appoint to receive the ſame, & that every of the ſaid Archbiſhops & Biſhops, their executors & adminiſtrators, and the poſſeſſioners of their dignities and Churches, ſhall ſtand charged and chargeable for the ſure and true payment of ſuch ſummes of money. as they ſhall collect and receive of the ſaid yearly rent and penſion, and that the Theſaurer and Barons of the Kings Exchequer ſhall yearly cauſe proceſs to be made by their diſcretions for none payment of the ſaid penſion or yearly rent, or any parcel thereof againſt every Archbiſhop and Biſhop of this land, that is to ſay, againſt every Archbiſhop and Biſhop, for ſo much part and portion of the ſaid penſion and yearly rent, wherewith the dignities, benefices and other promotions ſpiritual afore mentioned within his diocels, ſhall be taxed and charged, ſo that every of the ſaid Archbiſhops and Biſhops ſhall be charged and chargeable for the rate and portion of the ſaid yearly rent and penſion, ſet and taxed within his own peculiar diocels, and none otherwiſe. And be it alſo enacted by authority aforeſaid, that every Archbiſhop and Biſhop ſhall have power and authority to levie, take and perceive by authority of cenſures of the Church, or by diſtreſs or otherwiſe by their diſcretion, all ſuch ſummes of money as ſhall be rated, taxed and ſet, to go out of the lands, tenements, hereditaments, profits and emoluments of any dignitie, benefice or other place or promotion ſpiritual within their diocels towards their payment of the ſaid yearly rent or penſion. And that no Replevin, Prohibition, nor Superſedeas, upon any excommunication, nor any other writ or impediment ſhall be ſued, allowed or obeyed, for any perſon or perſons making default of payment of ſuch part and portion, as they ſhall be rated and taxed unto by authority of this Act, till ſuch time as they have truly ſatiſfied their ſaid part and portion to them allotted of the ſaid yearly rent and penſion, And it is alſo enacted by authority aforeſaid, that whenſoever, and as often as any of the Archbiſhopricks or Biſhopricks happen to be voyd, that then the Deane and Chapter of the Cathedral Church, or the Prior and Convent or Chapter, or Convent of the monaſterie or Cathedral Church, where the See of ſuch Archbiſhopricke or Biſhopricke being voyde, ſhall happen to be, during the time of the vacation thereof, their executors, adminiſtrators and poſſeſſioners ſhall be charged and chargeable, to do and cauſe to be done all and every thing and things, for the due execution of this Act within the diocels of ſuch Archbiſhopricke or Biſhopricke as the ſame Archbiſhop or Biſhop of the See being voyd, ſhould have done according as it is limited and appointed by this Act, or by any thing therein contained.

And

And it is ordeyned and enacted by authorite aforesaid, that if any summe of money being once due by any Incumbent of any of the dignities, benefices or promotions spiritual aforespecified, charged to the payment of the said yearly pension and annual rent be reasonably demanded and required any time after the said feast of the natiuity of our Lord, as other dignities, monasteries, priories, hospitalls, commendatories, colledges, churches, chauntries, or houses, by the Archbishop or Bishop, or such as shall be charged with the collection of any part of the said pension, or by any other their ministers, seruants, or officers, to pay such portion of the said pension and yearly rent, as they shall be taxed and assessed, be not truly contented and payed unto such Archbishop or Bishop, or their ministers and officers, or to such other person and persons, or their ministers or seruants, as shall have the charge of collection thereof every yeare yearly, at the time of such request and demand thereof, or else within fourtie dayes next after every such request at the farthest. That then every Incumbent making such default of payment, after such default thereof certified into the Kings Exchequer in writing, under the seales of any Archbishop or Bishop, or of such as be limited and charged to the collection of the said pension by this Act shall be adiudged, deprived ipso facto of all such dignities, benefices, pensions and promotions spiritual, as any such Incumbent making such default, shall have at the time of such certificate to be made, or at any time after, so that all such dignities, benefices, pensions, and promotions spiritual, which any Incumbent making such default of payment, shall have at the time of any such certificate to be made, or at any time after shall be clearely voyd and destitute of Incumbent in the Law, to all intents and purposes, as if such Incumbent making such default of payment were dead in deede. And it is ordeyned and enacted by authorite aforesaid, that if any Archbishop or Bishop, or any other limited and charged by this Act, to the collection and payment of the said pension and annual rent, doe make a certificat into the Kings Exchequer, before the said first day of Aprill, or at any time within four and twentie dayes next after the said first day of Aprill, that they according to this Act, have reasonably required and demanded any Incumbent of any dignitie, benefice, or promotion spiritual, chargeable by this Act to pay such part and portion of the said pension and annual rent, as they shall happen to be assessed unto, and that such Incumbent so being required, hath not payed his said part and portion, according to the forme and effect of this Act, that then every such Archbishop and Bishop, and every other person, hauing the charge by this Act for collection and payment of the said pension and annual rent, upon every such certificate, shall be discharged and acquitted for ever against the King his heires and successors, of and for all such summes of money as any such Incumbent, against whom such certificat shall be made, should or ought to have payed by this Act, and that then in every such case the Tresaurer and Barons of the Kings Exchequer, shall deuise and direct upon every such certificate, such process out of the Kings Exchequer against every such Incumbent, against whom any such certificate shall be made, and their executors, and administrators, or for insufficiency of them against the successors of every such Incumbent, whereby the Kings highness, his heires and successors, shall and may be truly answered, payed and contented of such portion and part, as the Incumbent against whom any such certificat shall be made, was taxed and assessed for his dignities, benefices, or promotions spiritual, and chargeable

If payment be not made on or before the 40 dayes after demand made, and certificate thereof be made into the Exchequer, the Incumbent shall be deprived ipso facto.

15 Car. 1. cap. 12. They shall only forfeit the treble value nomine pena.

That the Bishop after such certificate made, shall be discharged of the payment.

Process to issue against the Incumbent his Executors and Administrators, and for their insufficiency against the successors of the Incumbent.

with ac-
quittance
for the said
pension
shall be
good

Allowance
to be made
of such ac-
quittances
in the Er-
chequer,
without bill
or warrant.

No reward
to be taken
by any Offi-
cer from a-
ny Bishop
for his quic-
tus.

That every
Incumbent
shall retain
the 20. part
of such An-
nuities as
they were
to pay.

On compo-
sition for the
first fruits,
allowance
and deduct-
ion to be
made of the
20th part.

chargeable by this Act. And it is also ordained & enacted by authoritie aforesaid, that all manner of acquittance, made by the ~~h.~~ under the saurer and general receiavor of this his land, or by any others such commissio- ners as shall be appointed as is aforesaid, to receive the said pension or any part thereof, and subscribed with the name of the said under the- saurer and general receiavor, or any other such commissioner, for the payment of the said pension or annual rent or any part thereof, to any such person or persons as be limited and charged with the collection thereof, shall be of as good strength, force, vertue and effect to the par- ties having the same, as if they were made in the Kings name under his great Seal, and so shall be allowed, admitted and accepted in all Courts of this his land. And that the Chesaurer and Barons of the Kings Erchequer, shall by vertue and authority of this Act, as well ad- mit and allow such acquittances, as all such certificates as shall be made against any incumbent for default of payment, as is abode said, upon the accompt of every Archbishop and Bishop, and of every other person limited and charged by this Act for the collection and payment of the said pension and annual rent, without any writ, bill or warrant to be sued in, or for that behalf. And that no maner of officer of the Kings Erchequer, shall take of any Archbishop, or Bishop, or of any other person having charge with the collection and payment of the said pension or annual rent, any manner reward or thing, for making their accompt or *quietus est* in the same Erchequer, or for any maner of thing appertaining to the same, concerning the said pension and annual rent, upon pain of every officer doing contrary to this Act, to lose and forfeit his office, and make fine to the King at his will and pleasure. And forasmuch as every incumbent of the dignities, benefices, and pro- motions spiritual afoze mentioned, shall be charged by this Act to the payment of the twentieth part of the value of their dignities, benefices, and promotions spirituall, without any deduction or allowance of such pension or pensions, wherewith some of them be charged to pay to their predecessours during their lives, or to other persons to the use of such their, or predecessours during their lives. It is therefore ordained & enacted by authority aforesaid, that it shall be lawful to every incum- bent charged with any such pension, payable to any his predecessours, or to any to his use, to retain and keep in his hands the twentieth part of every such pension, and that every such incumbent and his sureties, shall from henceforth be acquitted and discharged of the said twentieth part of every such pension, by vertue and authority of this present Act, any decre, ordinance or assignement of any such ordinary, or any col- lateral writing or suerty made for such pension to any spiritual per- son or persons, or to any to their uses, for term of their lives, in any wise notwithstanding. And that as well every incumbent as such per- sons as stand bounden for him, for payment of any such pension, shall plead this Act in every of the Kings Courts, for the clear extinguis- hment and discharge of the twentieth part of every such pension. And also be it enacted by authority aforesaid, that whensoever any person or persons from the first day of December, which shall be in the year of our Lord God, a thousand five hundred thirty and seven, shall be named, perfected, collated, or by any other means appointed to have any Archbishopric, Bishopric, Deanry, Archdeaconry, Prebend, Par- sonage, Vicarage, or any other promotions spiritual within this land, chargeable for the payment of the first fruits of the same, shall at his or their composition, agreement, or entre into specialty or specialties for the payment of the said first fruits, have allowance and deduction of the

the ſaid twentieth part of the whole, out of the ſumme to be paid for the ſaid firſt fruits, for the year wherein he or they ſhall be firſt nominated, preſented, preſented, collated, or by any other means appointed to have any of the ſaid dignities, benefices, offices, or other promotions ſpiritual, according to the juſt rate, taxion and ceſſement of the twentieth part of every of the ſaid Archbiſhopricks, Biſhopricks, Deanries, Archdeaconries, Prebends, Parſonages, Vicarages, or any other promotions ſpiritual within this land, of what name, nature, or quality ſoever they be, or to whole foundation, patronage or gift ſoever they belong now being enrolled, or that hereafter ſhall be enrolled in the Kings Exchequer, or in any other the Kings Court of Record. Provi- ded, and be it enacted by authority of this preſent Parliament, that all and ſingular fermours, and leſſees of any manours, lordſhips, lands, tenements, tythes, or other whatſoever profits or commodities, belong- ing to any Archbiſhop, Biſhop, or other Prelate, or ſpiritual perſon or perſons, or body corporate or politique, whereof any firſt fruits or yearly penſion of the twentieth part, is graunted to the King our ſove- reign Lord in this preſent Seſſion of the ſaid Court of Parliament, or otherwiſe ſhall be diſcharged, and not chargeable to pay to our ſaid ſo- vereign Lord of his or their proper money, coſte or charge, for or in diſ- charge of the leſſour or leſſours, owner or owners of the ſame by reaſon of any covenant, bargain, bond, condition, claule, or reentre, of other thing heretofore made or concluded, but that every of the ſaid leſſours and owners, and their ſucceſſours ſhall be charged and chargeable to pay and ſatiſſie the ſame of his or their proper coſte and charge to the King our ſovereign Lord, his heirs and ſucceſſors according to the graunt thereof, any covenant, bargain, contract, bond, condition, claule of reentre or other thing heretofore made or concluded to the con- trary thereof in any wiſe notwithstanding. And forasmuch as the Dean, Chauntour, Chauncellour, Theſaurer, and Archdeacon, and all other the dignities and Prebends of the Cathedral Church of Saint Patrick beſides Dublin, for the time being, of their own free wills, and by their loving and obedient aſſent immediately upon their admis- ſion, institution and induction to any ſuch dignities or Prebendary be chargeable by authority of Parliament to the payment and ſatiſſaction of the firſt fruits (that is to ſay) the very yearly value of one whole year of their ſaid dignities or promotion ſpiritual, whatſoever it be, to the Kings highneſs, his heirs and ſucceſſors for ever, and alſo by au- thority of this preſent Act, be likewiſe chargeable to the payment & ſatiſſaction unto the Kings highneſs, his heirs and ſucceſſors, of the twentieth part of the yearly value of their dignities and promotions ſpiritual, whatſoever it be, the annual and perpetual charges, uſed, and accuſtomed to be paid therein alloved, whereby and divers other their conſormable Acts, their loving hearts towards the Kings high- neſs, plainly and evidently may appear. And conſidering that the ſaid Cathedral Church of Saint Patricks is of our moſt dread ſovereign Lords moſt noble Progenitors foundation, and that ſithen the firſt foundation thereof, by the wiſedom and policie of the Dean of the ſaid Church, and his brethren for the time being, have been kept, maintain- ed and ſupported, according to the eſta bliſhment of the ſame, as well by the daily continuance and keeping of Gods Divine Service, and o- ther laudable uſages and cuſtoms eſta bliſhed upon the foundation thereof, as alſo by the daily and continual reſidence and keeping of ho- ſpitality of the ſaid Dean and others, having the dignities of the ſaid Church to the pleaſure of Almighty God, the honour of our moſt dread

That the leſſes or farmers ſhall not pay the ſaid 20 part, but the leſſor notwith- ſtanding a- ny covenant or contract to the con- trary.

An enacting
clause for
S. Patricks
Church.

That Ed-
ward Bas-
nett, who
had no al-
lowance or
deduction of
his 20. part
in his first
fruits, dis-
charged of
the 20. part
or another
year in lieu
of it.

Sovereign Lord, and the comfort, relief, and supportation of Divers the Kings true and needful Subjects. And to the intent that the Deane and other his brethren, having the dignities and prebends of the said Cathedral Church, being in maner the only lanterne and light of any godly and ecclesiastical rule or order within this land, should not be so exacted or charged, through which the said divine service, and other laudable usages and customes, & keeping of hospitalities might be decreased or in any part diminished, but rather should be so encouraged that they and every of them from time to time to the uttermost of their power, wit and cunning should continue, encrease and augment the same, according to the establishment of their first foundation to the pleasure of Almighty God, the honour and prosperitie of our most dread Sovereign Lord, his heires and successors, and the quietness, tranquillity and publique common weale of this land. Be it enacted, ordeyned, and established by authority of this present Parliament, that the Deane, Chauntour, Thesaurer, and Archdeacon of the said Cathedral Church of Saint Patricks, and every other person and persons having any dignities, prebend, or any other promotion spiritual within the said cathedral church of Saint Patricks for the time being, shall be quite and discharged to goe or send to any hysling, rode, vyage or journey at any time to be had or assigned within this land, for or in consideration of their said dignities, prebends. or promotions spiritual within the said cathedral Church whatsoever it be, so that they ne none of them for not going or sending to any such hysling, vyage, rode, or journey shall not be amerced or otherwise asselled in any penaltie or summes of money, and if they or any of them be amerced or asselled contrary to the tenour of this Act, and that the Kings sherife, or any other person or persons will distraine for the same that then by authority aforesaid every such sherife, by writ, commandement, or otherwise, and person or persons taking any such distress, shall forfeit for every such time, x. li. the one halfe thereof to our Sovereign Lord the King, and the other halfe to the partie grieved that will sue for the same by Action of debt, bill, plaint, information, or otherwise, wherein no esloine, protection ne waiger of law shall be admitted or allowed. And forasmuch as the purport and meaning of this Act is whensoever any person or persons is or be chargeable at his or their admillion to any promotion spiritual to the payment of the first fruits to the Kings highness, that upon the composition for the payment of the said first fruits, the said twentieth part to be payed to the Kings highness by authority of this Act, should be allowed in the same. And for that that Edward Bassnett now Deane of the said Cathedral Church for this yeare to be ended after the feast of Easter next ensuing, hath compounded for the first fruits, that is to say, the yearely value of the said Deanry, for one whole yeare ending after the said feast of Easter, having none allowance, ne deduction of the twentieth part of the yearely revenue or profite of the said Deanry, to be due to our Sovereign Lord the King at the feast of the nativitie of our Lord, which shall be in the yeare of our Lord God a thousand five hundred thirtie and seven, being in the said year, for which he compounded for the said first yeares fruits. Be it provided and also enacted, that this present Act or any thing therein contayned, for the payment of the said twentieth part, shall not extend in any wise to charge the said Sir Edward now Deane of the said Cathedral Church, for the payment of the said twentieth part of the yearely profite or revenue of the said Deanry, til the feast of the nativitie of our Lord which shall be in the yeare of our Lord God a thousand five hundred thirtie

and

and eight. This Act or any thing therein containd or mentioned, in any wise notwithstanding. Provided and also be it enacted by authority aforesaid, that the Lord Priour of Saint Johns Jerusalem in Ireland, and his successours from time to time shall be charged and chargeable with the gathering, levying, receiuing, and paying of the twentieth part to be due to the Kings highness by authority of this Act, in and of the Priorie of Saint Johns Jerusalem in Ireland, and the commaundries of the same religion in like maner, form, condition, qualitye and degree, as any Archbishop or Bishop of this land within his Dioces is charged and chargeable by authority of this Act, for the collecting, receiuing, and paying of the twentieth part likewise to be due unto his highness, of any spiritual promotion within any such Archbishops or Bishops Dioces. And that no Archbishop ne Bishop shall be charged or chargeable for the collection, receiuing, payment or satisfaction of the same, or any parcel thereof. Be it provided and also enacted, that the clergie shall haue two dayes of payment for the twentieth part aforesaid, that is to say, the moytie of the same to be payed at the feast of Easter next ensuing, & the other moytie at the feast of S. Michael the Archangel by even portions, & so to continue from year to year perpetually to endure.

C A P. XV.

An Act for the English order, habite and language. Rot. Parl. Cap. 26.

The Kings Majestie our most gracious and most redoubted sovereign Lord, prebending and maying by his great wisdom, learning and experience, how much it doth more conferre to the induction of rude and ignorant people to the knowledge of Almighty God, and of the good and vertuous obedience which by his most holy precepts and commandements, they owe to their princes and superiours, then a good instruction in his most blessed lawes with a conformitie, concordance and familiarity in language, tongue in maners, order and apparel with them that be civil people, and doe profess and knowledge Christs religion, and civil and politike orders, lawes and directions, as his Graces subjects of this part of this his land of Ireland that is called the English pale doth, and most graciously considering therewith upon the great love, zeale and desire, which his most excellent Majestie hath to the advancement of the state of this his sayde land, and to the conveynance and trayning of his people of the same to an honest Christian civilitie and obedience, whome his highness tendreth as his members of this politike body, whereof immediatly under God he is supream head and governour, that there is againe nothing which doth more conteyne and keep many of his subjects of this his said land in a certaine savage and wilde kind and maner of living, then the diversitie that is betwixt them in tongue, language, order, and habite, which by the eye deceiveth the multitude, and perswadeth unto them, that they should be as it were of sundry sorts, or rather of sundry countries, where indeed they be wholly together one bodie, whereof his highness is the onely head under God, as it is aforesaid, of his most noble and princely disposition, and fervent zeale, which his highness hath and beareth to the advancement of the state of this his land, for a certain direction & order to be had, that all we his said subjects thereof might the better know God, and doe that thing that might in time be and redound to our owne wealth, quiet and commoditie, doth not onely desire that all such good lawes as by wise, godly and prudent princes, his most noble progenitors have bene heretofore made for the use of the English tongue, habite and order within this his said land, may be put in due execution, but also that the same may be so established

The Priour of S. Johns Jerusalem to pay the 20. part, and be accountable for it and not the Bishop.

Easter and Michaelmas the two dayes of payment of the first-fruits.

An Act for using the English habit and tongue.

Enacting
part.

What ap-
parel they
shall not
wear.

Forfeiture
of the thing
so worn.

Not to ex-
tend to any
horseboyes
or trabel-
lers.

That they
shall teach
their chil-
dren to
speak the
English
tongue.

and in this present Parliament brought to such a perfectioun, that the said English tongue, habit, and order, may be from henceforth continually (and without ceasing or returning at any time to Irish habite or language) used by all men that will knowledg themselves according to their duties of allegiance, to be his highness true and faithfull subjects, his Majestie doth hereby intimate unto all his said subjects of this land, of all degrees, that whosoever shall for any respect, at any time decline from the order and purpose of this law, touching the increase of the English tongue, habite and order, or shall suffer any within his family or rule, to use the Irish habit, or not to use themselves to the English tongue, his Majestie will repute them in his most noble heart as persons that esteeme not his most dread lawes and commandements, but whatsover they shall at other times pretend in words and countenance, to be persons of another sort and inclination then becommeth the true and faithfull subjects. Wherefore be it enacted, ordeyned and established by authority of this present Parliament, That no person ne persons, the Kings subjects, within this land being, or hereafter to be, from and after the first day of May which shall be in the yeare of our Lord God a thousand five hundred thirtie nine, shall be shorn, or shaven above the eares, or use the wearing of haire upon their heads, like unto long lockes, called Glibbes, or have or use any haire growing on their upper lippes, called or named a Crommeal, or use or weare any shirt, smock, kerchor, bendel, neckerchour, mocket, or linnen cappe, coloured, or dyed with Saffron, ne yet use, or weare in any their shirts or smockes above seven yardes of cloth to be measured according to the Kings Standard, and that also no woman use or weare any kirtell, or cote tucked up, or imbroydred or garnished with silke, or couched ne layd with usker, after the Irish fashion: and that no person or persons, of what estate, condition or degree they be, shall use, or weare any mantles, cote or hood made after the Irish fashion, and if any person or persons use or weare any shirt, smock cote, hood, mantle, kircher, bendell, neckerchor, mocket or linnen cap contrary to the forme above recited, that then every person so offending, shall forfeit the thing so used or worn, and that it shalbe lawfull to every the kings true subjects, to seise the same, and further the offender in any of the premises, shall forfeit for every time so wearing the same against the forme aforesaid, such penalties & summes of mony, as hereafter by this present Act is limited and appointed. Provided alway that this Act ne any thing therein contayned, be prejudicial to any woman or any herdes, horseboyes, for the using or wearing of any mantle, ne shall extend to be hurtfull to any person or persons, for or by reason of wearing of any mantles during such time as he or they shall be in going riding, or abiding in any hostings, journey or rode, or reising out upon a cry, but that they & every of them shall & may liberally & freely use and weare at their pleasers their mantles, during such hostings, journeyes or rodes, or reising out, any thing in this Act befoze to the contrary mentioned or declared notwithstanding. And be it enacted by authority aforesaid, that every person or persons, the Kings true subjects, inhabiting this land of Ireland, of what estate, condition or degree he or they be, or shall be to the uttermost of their power, cunning and knowledge, shall use and speake commonly the English tongue and language and that every such person and persons, having childe or children, shall endeavour themselves to cause and procure, his said childe and children, to use and speak the English tongue, and language, and according to his or their abilitie, cunning, and power, shall bring up and keep his said

said childe and children in such places, where they shall or may have
 occasion, to learne the English tongue, language, order and conditi-
 on. And further be it enacted by authority aforesaid, that every the said
 person and persons, having or keeping any house or household, shall to
 their power, knowledge and abilitie, use and keepe their houses and
 householdes, as neere as ever they can, according to the English order,
 condition and maner, upon pain of forfeiture to every Lord spiritual
 and temporal that shall offend in the premises, or any parcel thereof as
 often as he shall so offend, the summe of vi. li. iiii. s. iiii. d. and upon
 pain of forfeiture to every knight and Esquire that shall offend in the
 premises or any parcell thereof as often as he shall so offend xl. s. and
 upon pain of forfeiture to every Gentleman or Merchant that shall
 fortune to offend in the premises, or any part thereof as often as hee
 shall so offend twentieth shillings, and upon paine of forfeiture to every
 freeholder and yeoman, that shall offend in the premises or any parcel
 thereof as often as he shall so offend, ten shillings, and upon paine of
 forfeiture to every husbandman that shall offend in the premises, or
 any parcel thereof, as often as he so offendeth, vi. s. viii. d. & upon pain
 of forfeiture to every other the Kings subjects within this land what-
 soever he that shall offend in the premises, or any part thereof, as of-
 ten as he shall so offend iii. s. iiii. d. the one halfe of the which forfeitures
 to be to our Sovereign Lord the King his heys and successors, and the
 other halfe of the same to the partie that will sue for the recoverie there-
 of by action of debt, bill, plaint, information, or otherwise. in any of
 the Kings courts, within no esloine, protection, ne wage of law shall
 be admitted or allowed. And be it further enacted by authority aforesaid,
 That every Justice of peace, Sherife, Mayor, Suffraigne, and Por-
 triefe, and every other head officer of any citie, borough, or town,
 Constables, and keepers of Castles or Garrisons, within this land,
 within their limits, authority, and jurisdictions, shall from the said
 first day of May, ayde and assist any such person so seising such said Ir-
 ish garment, or apparel used or worne against the forme of this esta-
 tute, & also shall take & seise the said garment, if no other person do seise
 such gramment, so used or worne contrary to the said estatute, and the
 same garment so seised & taken, to have to his or their proper use, & every
 other person and persons, the Kings true subjects at all times requi-
 site, shall ayde, maintaine, support, and assist every of the said seisors,
 and every of the said Justices of Peace, Sherifes, Mayors, Suff-
 fraignes, Portriffes & every other head officer of cities or borough townes,
 Constables or keepers of Castles, and Garisons, in due and full exe-
 cution of the same. Be it further enacted by authority aforesaid, that
 if any person or persons, whose garment or Irish habite, is seised or
 taken by force of this present Act, doe make or procure, or goe a-
 bout to take any distress, or pledge, or any other recompence for the
 same of any such person or persons, that so did seise, and take the same,
 or of any other their servants or friends, or any other the Kings Sub-
 jects, for the cause aforesaid, shall forfeit for every such time so of-
 fending five pound, the one halfe thereof to our Sovereign Lord the
 King, and the other part to him that will sue for the recovery thereof
 by action of debt, bill, plaint, information or otherwise, in any of
 the Kings courts, wherein no esloine, protection, ne wager of law shall
 be admitted, ne allowed. And over that it shall be lawfull to the Just-
 ces of Peace, and every other the Kings officers and subjects to take all
 and every such person so offending, and him to commit to the next
 prison or gaole there to remaine till the next general Sessions, within

That they
 shall live in
 their house
 after the
 English
 manner.
 Every Lord
 offending
 shall forfeit
 vi. li. iiii. s.
 iiii. d. and
 every knight
 xl. s. &c.

One half to
 the King,
 the other to
 the Inform-
 er.

That the
 Kings Offi-
 cer shall as-
 sist such as
 shall seise
 such Irish
 garments.

5. l. forfei-
 ture for
 such as shall
 recake the
 thing seised,
 or any
 pledge for
 the same.
 And like-
 wise the Ju-
 stice to im-
 prison and
 fine the said
 person.

That benefices shall be given only to such as can speak the English tongue.

Unless after four proclamations such cannot be had.

the said countie to be kept, and further unto such time he be delibered by the Justices sitting in the said Sessions, upon such reasonable fines as by them or any two of them, shall be thought convenient. And furthermore be it enacted, by authority aforesaid, That if any Archdeaconry, Deanry, Proboship, Prebend, Parsonage, Vicarage or Chauntry, or any other dignity, benefice, office, or promotion spiritual within this land of Ireland, under the King our Sovereign Lords obedience, tuition, and governance, leviabie or chargeable with payments of the first fruits to the Kings highness, doe at any time after the said first day of May, which shall be in the yeare of our Lord God a thousand five hundred thirty nine, happen to become voyde, that then every person & persons & bodies politique the Kings true subjects, and under his rule & governance, having authority, power, right interest and title, to nominate, elect, present, collate, or give any such Archdeaconry, Deanry, Proboship, prebend, parsonage, vicarage, or chauntry, or other such dignitie, benefice, office or promotion spiritual shall nominate, elect, present collate, or give, as the title shall require, the same Archdeaconry, Deanry, proboship, prebend, parsonage, vicarage, Chauntry, or other Dignity, Benefice, Office, Promotion spiritual, so happening voyde to such person or persons, as can speake the English, and to none other person ne persons, unless there be no person ne persons which can speak English, that will accept and take the same, and if such person or persons, or bodies politique having right, title, and interest to nominate, elect, collate, present or give any such Archdeaconry, Deanry, Proboship, Prebend, Parsonage, Vicarage, Chauntry, or other dignitie, benefice, office, or promotion spiritual as is aforesaid, upon convenient search and enquire, by him or them made, cannot within three moneths after such Archdeaconry, Deanry, Proboship, Prebend, Parsonage, Vicarage, Chauntry, or other dignity, benefice, office, or promotion spiritual, shall so happen to come, and to be voyde, have ne get, any such person that can speake English to accept and take such Archdeaconry, Deanry, Proboship, Prebend, Parsonage, Vicarage, Chauntry, or other dignitie, benefice, office, or promotion spiritual, so being void, then such person and persons, to whom the right, title, and interest, of nomination, election, collation, presentation, or giving of such Archdeaconry, Deanry and other dignitie, benefice, office or promotion spiritual aforesaid, shall appertain or belong, shall make or cause to be made, foure solemne proclamations, openly to be proclaymed at foure severall market dayes, holden in the next market towne adjoyning to the Church, Chappel, or place, where such dignity, benefice, office, or promotion spiritual is then voyde, that if any person or persons, which can speake English apt and convenient, to accept, occupie & use the same dignity, benefice, office, or promotion spiritual, so then being voyde, will come and repaire unto him or them to whom the right, title, and interest of nomination, election, presentation, collation or gift of the such dignity, benefice, office, or promotion spiritual shall appertaine, or belong, and will take and occupie the same dignitie, benefice, office, or promotion spiritual, shall have the nomination, election, presentation, collation or gift of the same, as the case and matter therein shall require, & if no person ne persons which can English, as is aforesaid, will or doe repaire or come to him or them, that hath the right, title, and interest of nomination, election, presentation, collation, or gift of such dignitie benefice, office, or promotion spiritual, then being voide within five weekes after the first of the same Proclamations in forme aforesaid made to take and receive the presentation, collation, nomination, election or gift.

gift, of the said dignitie, benefice, office, or promotion spiritual so then being voyde, then it shall be lawfull to every such person and persons, having right, title, or interest, to the nomination, election, collation, presentation, or gift of such dignitie, benefice, office, or promotion spiritual, then being voyde, to present, collate, nominate, elect, or give the same dignitie, benefice, office, or promotion spiritual, to any honest sufficient able person, albeit such person cannot speake English: any thing in this Act to the contrarie mentioned notwithstanding. And if any person or persons, having right, title, interest, or lawful authority to nominate, collate, present, elect, or give any such dignitie, benefice, office, or promotion spiritual, doe hereafter nominate, collate, elect, present or give any such dignity, benefice, office or promotion spiritual, so being voyde, to any person, or persons which cannot speake English, contrary to the form and manner afoze recited being thereof lawfully convicted, according to the due process of the Kings Lawes upon every enquiry or presentment before any of the Kings Judges, that then the same collation, nomination, election, presentation, and gift, and the admission, and institution of such person shall be voyde, and then it shall be lawfull to the King our Soberaign Lord his heyres and successors, to collate, elect, nominate, present and give the same dignitie, benefice, office or promotion spiritual, to any person or persons, that can speake English, and to none other, and if the Kings Highness his heyres and successors, upon such presentation, collation, nomination, election and gift, be interrupted, or disturbed, then he shall have his Writ of *Quare impedit*, against such disturber, and recover the presentation thereof, for that time in like forme as his Grace should have done for any other presentation of his own patronage, and if the Kings highness, his heyres or successors, present any person by vertue of this Act, which cannot speake English, that then the same gift be voyde, and the patrons former gift to stand in his first force, any thing in this Act to the contrarie notwithstanding. Provided alway that such presentation, collation, nomination or gift, so to be made by the Kings Highness, his heyres and successors, shall not in any wise be prejudicial, hurtfull, or impairment to him or them, that at time of such presentment had right, title or interest, to the same, but that they & every of them shall and may, when such dignitie, benefice, office, or promotion spiritual, shall next become voyde, present, collate, elect, nominate, or give the same, as though no such nomination, collation or presentment had been had by the Kings highness, his heyres and successors, any thing in this act to the contrary notwithstanding. And further be it enacted by authority aforesaid, That every Archbishop, Bishope, Suffragan, and every other having authority and power, to give Order of Priestthoode, Deacon and Subdeacon, shall at such time as they or any of them doe give to any person or persons, any of the said Orders of Priestthoode, Deacon, or Subdeacon, give unto every person taking any of the said Orders of Priestthoode, Deacon, or Subdeacon, a corporal oath that he or they so taking order as is aforesaid, shall to the uttermost of his power, wit, and cunning endeavour himselfe to learne the English tongue and language, and use English order and fashions, if he may learne and attaine the same by possibility, in such place and places, where his cure or dwelling shall be, and further shall endeavour himselfe to move, endoctrine, and teach all other being under his order, rule and governance, to accomplish and performe the same, and that also every such Archbishop, Bishop, Suffragan, Archdeacon, Commis-

That such as are admitted, &c. shall take an Oath that he will endeavour to learn the English tongue.

The Oath.

That he
shall keep a
school to
learn Eng-
lish.

That every
one that
gives Or-
ders, must
give this
Oath, on
pain of 3. l.
6. s. 8. d.
And such as
do not per-
form the te-
nor of the
Oath for
the first of-
fence shall
forfeit 6. s.
8. d.
2. offence
20. s.
3d. offence
the benefice
shall be
void.

farie, and other habing power and authorizy, to admit, install, collate, institute, or induct any person or persons, to any dignity, benefice, office or promotion spiritual, as is aforesaid, shall at the time of the admission, institution, installation, collation and induction of such person and persons, to any dignity, benefice, office, or promotion spiritual, give unto the said person and persons, so admitted, instituted, installed, collated, or inducted, a corporall oath, that he and they so being admitted, instituted, installed, collated, or inducted shall to his wit and running, endebour himselve to learne, instruct, and teach the English tongue, to all and everie being under his rule, cure, order or governance, and in likewise shall bid the beades in the English tongue, and preach the word of God in English, if he can preach, and also for his owne part shall use and exercise the English order, and habite,, and also provoke as many as he may to the same, and also shall kepe, or cause to be kept within the place, territorie, or paroch where he shall have preeminence, rule, benefice or promotion, a schole for to learne English, if any children of his paroch come to him to learne the same, taking for the keeping of the same schole, such convenient stipend or salarie, as in the said land is accustomably used to be taken. And if any Archbishop, Bishop, Suffragan, or other, having authorizy to give orders as is aforesaid, or having authorizy or power to collate, institute, admit, install, or induct any person or persons to any dignitie, benefice, office, or promotion spiritual, as is aforesaid, or any of them,, doe give orders to any person or persons, without giving the oath aforesaid, or doe in any wise admit, collate, institute, install or induct, any person or persons to any dignitie, benefice, office, or promotion spiritual, without giving to such person or persons so collated, admitted instituted, installed, or inducted, such corporall oath as is aforesaid, that then every such Archbishop, Bishop, Suffragan, Ordinarie, & other having power and authorizy to give orders, as is aforesaid, or to collate, admit, institute, install, or induct any person or persons, to any dignitie, benefice, office, or promotion spiritual, as is aforesaid, shall forfeit for every time offending against this Statute iii. li. vi. s. viii. d. the one moitie to our Sovereign Lord the King, the other moitie to that person or persons, that will sue for the same as is aforesaid. And further be it ordeyned, established and enacted by authorizy aforesaid, That if any person or persons, being promoted, collated, instituted, installed, or inducted in any dignitie, benefice, office, or promotion spiritual, doe not observe, performe and fulfill the tenour, purport and effect of the said oath, that then such person and persons upon condemnation thereof by due proces of the law, had as is aforesaid, shall forfeit for the first time vi. s. viii. d. and if such person or persons, be eftsoones lawfully condemned for like offence, then he shall forfeit xx. s. and if the third time he be lawfully condemned for like offence, then such dignitie, benefice, office, or promotion spiritual, which such person or persons have, where such offence is committed, shall be taken, deemed, and adjudged to be voyde, and that it shall be lawful to him or them to whom the right, title, or interest of nomination, collation, presentation, election, or gift thereof shall appertayne, to nominate, collate, present, elect, or give the same to any other sufficient and able person or persons in like maner and form, as though the Incumbent had died, any thing or things, by him afore then done notwithstanding. Provided and be it enacted by authorizy aforesaid, That this Act in any wise extend not or be prejudicial to any person or persons, which hereafter shall be beneficed, within this.

this land being bound to keepe residence, in any Metropolitan, Cathedral, or collegiate Church, neyther to any person or persons so beneficed which shall be at studie in any Univerſitie, eyther being in the Kings ſervice, or otherwiſe out of the land by the Kings commande- ment but that ſuch paroch prieſts, or prieſts, which ſhall have the ſervice of any paroch church under him or them, ſhall during their abſencie teach the Engliſh tongue, and keepe a ſchole according to the form of this Act, upon pain of forfeiture to every ſuch paroch prieſt of xx. s. for every yeare that he ſhall omit the ſame. Provided alſo that this Act ſhall take no effect ne execution, untill it be openly proclaimed in due forme.

CAP. X V I.

An Act for the ſuppreſſion of Abbeys. *Rottul, Parliament, Cap. 27.*

Most humbly deſire the Kings highneſſe, his humble ſubjects that it may be enacted by authority of this preſent Parliament, That his Maieſtie ſhall have and enjoy to him, & to his heires for ever the monaſteries and religious houſes of the Bertif, ſaint Peters beſides Crim, Duſke, Duleke, Holmepatricke, Saltinglaſ, Grame, Taghmolin, Dunbrodie, Tenetne, the Priorie of Ballibogane, and the Abbey of the Hogges and Fernes, and in like maner ſhall have and enjoy all the ſites and circuits of every ſuch religious houſe, and all and ſingular the mannours, granges, and meaſes, lands, tenements, reverſions, rents, ſervices, tiſhes, penſions, portions, churches, chappels, advowſons, parſonages, annuities, rights, intereſts, conditions and other hereditaments, appertayning or belonging to every of the ſaid Monaſteries, or religious houſes, in as ample and large maner as the Abbots, Priors, Abbeſſes, Priorieſſes, or other governours of the ſaid Monaſteries and religious houſes at any time within the whole yeare next before the making of this Act, had ought, or might, or have had, poſſeſſed, and enjoyed in the right of their ſaid houſes, and alſo that his highneſſe ſhall have to him and to his heires, all and ſingular ſuch Monaſteries and religious houſes, not being already by his Grace given to any perſon or perſons, by letters patents, which at any time within two yeares next before the making of this Act, hath been given to his Maieſtie by any Abbot, Prior, Abbeſſe or Priorieſſe, under their covent ſeales, or by any other meane, or that otherwiſe hath bene ſuppreſſed or diſſolved, and all and ſingular the mannours, lands, tenements, rents, ſervices, reverſions, tyethes, penſions, portions, Churches, Chappels, advowſons, patronages, rights, intereſts, conditions, and other intereſtes and hereditaments, to the ſame Monaſteries, or religious houſes, or to any of them belonging or appertayning, which before the making of this Act, his highneſſe hath not given & graunted to any perſon or perſons, by his Letters patents as is aforeſaid, to have and to hold all and ſingular the premiſſes, with all their rights, profits, jurisdictions, and commodities, unto the Kings Maieſtie and to his heires and ſucceſſours for ever knit and united, to the imperial crowne of England, to doe and uſe therewith his and their owne wills, to the pleaſure of Almighty God, and to the honour and profite of this land. And it is ordeyned and enacted by authority aforeſaid, that all and every perſon and perſons, and bodies politique, which now have or hereafter ſhall have any Letters Patents of the Kings highneſſe of any the ſites, circuits, manours, lands, tenements, rents, reverſions, ſervices, tyethes, penſions, portions, Churches, Chappels, Advowſons, Patronages, tyethes, intereſts, conditions, intereſts and other hereditaments, which appertayneth to any Monaſteries, Abbeys, Priories,

Not to extend to any that have residence in any Metropolitan or collegiate Church, or in the University.

Small Abbeys and Monasteries only suppressed here, & the great suppressed 33 H.8.c. 5. What Monasteries are given to the King.

That the King shall have them in as large manner as the Abbots, &c. had them.

The King shall likewise have such Monasteries as was given by any Abbots, &c.

To do with them according to his will, to the pleasure of God, to the honor and profit of his land.

That the
Patentes of
the King
shall have
the said Mo-
nasteries,
&c. in as
large a
manner as
the Abbots
had them.
Saving the
right of all
persons, ex-
cepting the
Abbots, &c.
of the said
House.

As if the
said Mona-
stery had
not been
suppressed.

Fraudulent
Grants
made two
years before
the suppres-
sion are
void.

Priories, or Religious houses heretofore given or granted to the Kings highness, or otherwise suppressed or dissolved, or which appertain to any of the said Monasteries or Religious houses, that is or shall be suppressed or dissolved by authority of this present Act, shall have and enjoy the said sites, circuits, manors, Lands, tenements, rents, reversions, services, tythes, pensions, portions, Churches, Chappels, Adow-sons, Patronages, Tythes, Interests, and all other Hereditaments, contained and specified in their Letters Patents now being thereof made and to be contained and expressed in any Letters Patents hereafter to be made, according to the Tenors, purports, and effects of every such Letters Patents. And shall also have all such actions, suits, entries, and remedies to all intents & purposes, for any thing & things contained in any such Letters Patents, now made or to be contained in any such Letters Patents hereafter to be made in like manner, form and condition, as the Abbots, Priors, Abbesses, Prioresses, and chief Governours of every Religious house, which had the same, might or ought to have had, if they had not been suppressed nor dissolved. Saving to every person and persons, and bodies politique, their Heirs and Successors: other then the Abbots, Priors, Abbesses, Prioresses and chief Governours of the said Religious Houses specified in this Act, and the Convents of the same and their Successours, and such as pretended to be founders, patrons or donors to the said Monasteries or Religious Houses, or of any lands, tenements, or hereditaments, belonging to the same, or their heirs and successors, all such right, title, interest, possession, leases of years, rents, services, annuities, commons, fees, offices, liberties, and livings, pensions, portions, corrodiess, synods, priories and all other profits, as they or any of them have, ought or might have had, in or to any of the said Monasteries or Religious houses, or in or by any manors, lands, tenements, rents, reversions, services, tithes, pensions, portions and other hereditaments appertaining or belonging, or that appertaineth to any of the said Monasteries, or Religious houses, as if the said Monasteries, or Religious houses had not been suppressed by this act or by any other mean, but had continued in their essential bodies and estates that they now be or were in. Provided always and be it enacted, that forasmuch as diverse the chief Governours of the said Religious houses determining the utter spoiling and destruction of their houses and dreading the suppression thereof for the maintenance of their detestable lives, have lately fraudulently and craftely made feoffments, gifts, estates, graunts and leases under their convent seals, or suffered recoveries of their manors, lands, tenements, and hereditaments, in fee simple, fee tail, or term of Life, or Lives, or for years, or chargeth the same with rent or corrodiess, to the great decay and diminishys of their houses, that all such craftie and fraudulent recoveries, feoffments, gifts, estates, graunts, and leases, and every of them, made by any of the said chief Governours of the said Religious houses under convent seals within two years next before the making hereof, shall be utterly void and of no effect. And it is also enacted by authority aforesaid, that the Kings highness shall have and enjoy to his own proper use, all such ornaments, jewels, goods, cattles, and debts, which appertaineth or belongeth to any of the chief Governours of the said Monasteries or Religious houses in the right of the said Monasteries or Religious houses at the first day of June, in the year of Our Lord God One Thousand five hundred thirty six, or at any time since, not given ne granted by the Kings Majesty at any time before the making of

of this Act, to any person or persons by his Letters patents wheresoever.
 & to whosoever possession they shall come or be found, except onely such
 beasts, grain and woods, & such other like cattle and revenues, as hath
 been sold in the said first day of June, or thence, for the necessary
 and reasonable expences or charges of any of the said Monasteries &
 houses. And in consideration of which premises, to be had to his high-
 nels and to his heirs as is aforesaid, his Majesty is pleased and con-
 tented of his most Excellent Charity, to provide to every Chief Head
 and governour of every such Religious house during their lives, such
 yearly pension or benefices, as to their degree and qualities shall be
 reasonable and convenient, wherein his highness will have most ten-
 der respect to such of the said chief Governours as well and truly con-
 serve and keep the goods and ornaments of their houses to the use of his
 Grace without spoil, waste or embezzling of the same. And for the due
 fulfilling and accomplishing of the same, his highness doth ordain &
 depute his trustie and right well beloved Counsaillors, his Graces
 Deputy, Chancelour, Tresaurer, Underthesaurer, chief Justice of
 the Kings Bench and Common place, and Chief Baron of his Graces
 Erchequer of this his Land for the time being: or any six, five, four,
 three or two of them at the least, so that the said Underthesaurer be one
 to assigne and depute to such chief Governour the certainty of such
 pension or other living. And that any such pension or living so to be
 limited or given to any the said chief Governours shall be as good &
 effectual, to all intents and purposes, as though the Kings highness
 had given the same under his Letters Patents. And that none of the
 said chief Governours shall pay any thing in the Exchequer for the
 enfealing of any such pensions to be limited as is aforesaid. And also
 his Majesty will ordain and provide that the Convents of every
 such Religious house, shall have their capacities if they will, to live
 honestly or vertuously abroad, and some convenient charity disposed
 to them toward their living, or else shall be committed to such honour-
 able great Monasteries of this land, wherein good Religion is observed
 as shall be limited by his Highness, or his Graces said Counsaillors
 or any six, five, four, three, or two at the least, there to live Religiously
 during their lives. And it is ordained by Authority aforesaid, that the
 chief Governours & and convents of such great Monasteries, shall take
 & accept into their houses from time to time such number of persons
 of the said Convents, as shall be assigned and appointed by the Kings
 highness, or his said Counsaillors, or any six, five, four, three, or two
 of them at the least, and keep them religiously during their Lives with-
 in the said Monasteries, in like manner and form, as the Convents of
 such great Monasteries be ordered and kept. And also the Kings Ma-
 jesty is pleased, that it be enacted by authority aforesaid, that his highness
 shall satisfie, content and pay all and singular such just and true debts
 which been owing to any person or persons by the chief Governours
 of any of the said Religious houses, in as large and ample manner as
 the said Chief Governour should or ought to have done if this Act
 had never been made, Provided always, that the Kings highness, his
 heirs and successours at any time after the making of this Act, may at
 their pleasures Ordain and declare by their Letters Patents under
 their great Seal, that such of the said Monasteries, or Religious houses
 not before this time given by his Grace to any person or persons by his
 Letters Patents, as is aforesaid, which his Majesty shall not be dispo-
 sed to have suppressed nor dissolved by authority of this Act, shall still
 continue and be of the same body corporate, and in the said essential
 estate

Prohibition
made for the
Governour
of every re-
ligious
House dur-
ing his life.

By whom
the pension
is to be li-
mited.

Prohibition
for the Con-
vents.

Small Mo-
nasteries
only given.

Saving to
the Found-
er & Pa-
trons ſuch
profits as of
right they
ought to
have.

Hospitality
and a dwell-
ing to be
kept by the
Jesties and
Patentees
under pain
of 20 li. per
annum into
the Exche-
quer.

To be en-
quired of by
the Juſtices
of Peace at
the Sessi-
ons.

estate, qualitie and condition, as well in poſſeſſion as otherwiſe, as they were before the making of this Act, without any ſuppreſſion, or diſſolution thereof, or any part of the ſame by authority of this Act and that every ſuch ordinance and declaration ſo to be made by the Kings highneſſe, ſhall be good and effectual to the chiefe governours of the ſaid religious houſes, which his Maieſtie will not have ſuppreſſed, and to their ſucceſſors, according to the tenors and purpoſes of the Letters patents thereof to be made, any thing or things contayned in this Act, to the contrary hereof notwithstanding. Saving alwayes and reſerved to every perſon and perſons being founders, patrons, or donours of any the ſaid Monaſteries or religious houſes, that is or ſhall be ſuppreſſed by this Act or otherwiſe by any other meanes, their heyres and ſucceſſors, all ſuch right, title, and intereſt, poſſeſſion, rents, annuities, fees, offices, leaſes, commons, prories, penſions, and Sionodals, and all other profits, whatſoever they be, which any of them have or ſhould have had without fraude or cobin by any maner of meanes, otherwiſe then by reaſon or occaſion of the diſſolution of the ſaid Monaſteries or religious houſes, into or upon any the ſaid Monaſteries or religious houſe, whereof they be founders, patrons, or donours, or into or upon any the lands, tenements, or other hereditaments appertayning or belonging to the ſame, in like maner, forme and condition, as other perſons, & bodies politique be ſaved by this Act, as is before rehearſed, and as if the ſaid Monaſteries or religious houſes had not been ſuppreſſed or diſſolved by this Act, or otherwiſe by any other meane, but had continued ſtill in their eſſentiall bodies and eſtates as they be now or were in. any thing in this Act to the contrary hereof notwithstanding. And further be it enacted, ordeined and eſta bliſhed by authority aforeſaid, that all and ſingular perſons, bodies politique and corporate, to whom the Kings Maieſtie, his heyres or ſucceſſours have given, letten or demised, or hereafter ſhall give, grant let or demise any ſites, circuits, or precinct, with the houſes thereupon builded, together with all the demaines of any the ſaid Monaſteries or religious houſes, that is or have been or ſhall be diſſolved or given to the Kings highneſſe by this Act, or otherwiſe by any other meanes, and their ſucceſſours, executors, and assignes of every ſuch perſon, bodie politique and corporate, ſhall be bounden by authority of this Act under the penaltie, hereafter enſuing, to keepe or cauſe to be kept an honeſt farmours houſe or houlhould in the ſame ſite, circuit or precinct, according to the quantitie of the demains of the ſame. And if any perſon or perſons, bodies politique or corporate, that ſhall be bounden by this Act doe not keepe or cauſe to be kept ſuch an honeſt fermours houſe or houlhould, that then he or they ſo offending, ſhall forfeit to the Kings highneſſe for every quarter of a yeare doing the contrarie, an hundred ſhillings, to be recovered to his uſe in every of his courts of Record. And over that, it is enacted by authority aforeſaid, that all Juſtices of peace in every ſhire where any ſuch offence ſhall be committed & done, contrary to the true meaning or intent of this preſent Act, ſhall in every quarter & general Sessi- ons, within the limits of their commiſſion enquire of the premies, & ſhall have full power & authority to hear & determine the ſame, & to take & ceſſe no leſſe fine for every of the ſaid offences, then is aforeſet limited for the ſame offences, & theſe ſtreates thereof to be made and certiſied in the Kings Exchequer of this land, according and at ſuch time and fourme as other eſtreates of fines, illues and amer- ciements been made by the ſaid Juſtices. Provided that this Act ne any thing therein contayned, ſhall extend or in any wiſe be meant to the

the Rectories, Parſonages, Vicarages, or Churches of the Porragh and Taghmolynbegge, or to any diſmes, tythes, offerings, alterages, landes, tenements, and other profits, whatſoever they be, belonging to them or any of them during the lives of Sir John Berthicke Parſon of the Porragh aforeſaid, and Sir Thomas Feſlane Parſon of Taghmolyn aforeſaid. Provided that this Act, ne any thing therein comprised ſhall extend or in any wiſe be meant to the Rectories, Parſonages, Vicarages, or Churches of Holywood, Dullardeſſon, and the free chappel of Armakrenan, and Kyluskie, and the Parſonage of Uſke, or to any diſmes, tythes, offerings, alterages, lands, tenements and other profits, whatſoever they be belonging to them or any of them, during the lives of Sir Robert Luttrell parſon of Holywood aforeſaid, Sir John Connyl Vicar of Holywood aforeſaid, Sir John Lawles Vicar of Taghmolynbegge aforeſaid, Sir Alexander Baron parſon of Dullardeſſon aforeſaid, Sir Euſtace Broome, Maſter or governour of the ſaid free chappel of Armakrenan and Kyluskie, & Sir Edward Euſtace Parſon of Uſke, but that they and every of them ſhall have and enjoy their ſaid Benefices with the iſſues and profits of the ſame during their lives. Provided alſo by the authority aforeſaid, that any article, proviſion, matter, thing or things, whatſoever it be comprised or mentioned in this preſent Act, ſhall extend or in any wiſe be prejudicial or hurtfull to the moſt reverend father in God, George Archbiſhop of Dublin, or any his ſucceſſors, in to or for, any right, poſſeſſion, or title, that the ſaid moſt reverend father in God, or any his predeceſſors, hath or ſhall have, to any advowſon, parſonage, Vicarage, patronage, preſentation, or collation, to or of any benefice or promotion ſpiritual, whatſoever it be lately belonging or in any wiſe appertaining to the ſaid houſe or Monastery of Taghmolynbegge, any thing or things in this preſent Act notwithstanding. Provided that this Act, neyther any thing therein conteyned, be prejudicial or hurtful to the Vicars choralls of ſaint Patrickes Church of Dublin neyther to their ſucceſſors for their right, title, intereſt, poſſeſſion, and rent into and for the benefice, penſion, and tythes of Kynnegh within the countie of Catherlagh.

That this Act ſhall not be prejudicial to the Vicars choralls of ſaint Patrickes Church of Dublin to their title to the tythes of Kynnegh.

C A P. XVII.

An Act for lading of Wooll and Flockes. Rot. Parl. Cap. 28.

VHere in a Parliament holden at Dublin the thirteenth yeare of our ſoveraign Lord King Henry the eight that now is, before the right honourable Lord Thomas then Earl of Surrey, and the Kings Lieutenant within this land of Ireland, amongſt other things for the common and publique weale of the ſame land, it was eſta bliſhed, ordeyned, and enacted that no perſon ne perſons ſhould lode ne convey no maner of wooll ne flockes out of this ſaid land of Ireland, upon pain of forfeiture to the King our Sovereign Lord the double value of the ſame. That notwithstanding; for becauſe there was no authority given by the ſaid eſtatute to any officer of the Kings or other common officer, to enter and make leiſure in the ſaid wooll and flockes to be loden contrary to the ſame ordinance, the ſaid good and beneficiall eſtatute hath taken little effect, but contrary to the minde, intent, and effect of the ſame great plenty of wooll and flockes hath continually hitherto ſithence the making thereof bene loden and conveyed out of this ſaid land, to the great and inſtimable hurt, decay and impoveriſhment of the Kings poore ſubjects within the ſaid land, for redreſſ whereof, and in conſideration that loading and conveying of the wooll of the grow of this land out of the ſame, is one of the greateſt occaſi-

Against lading wooll, and flockes, 11. St. 13 H. 8. cap. 2. 11 El. c. 10.

Forfeiture
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ons of the idleness of the people, waste, ruine, and desolation of the Kings cities and Borough townes, and other places of his Dominion within this land. Be it therefore enacted, ordained and established by the assent and consent of our said Sovereign Lord the King, the lords spiritual and temporal, and the commons in this present Parliament assembled, & by authority of the same, That all Licences, and plakards heretofore had, made, or granted by our Sovereign Lord the King, or hereafter to be had, made or graunted by any the Kings Lieutenants Deputy or Deputies of this land to any person or persons contrary to the true meaning, form & effect of the said statute, shall be clearly voyd & of none effect. And also that no maner person ne persons from henceforth doe load, ship, convey or carry in any ship vessel or boat, no maner woolls or flockes, nor convey or carry, or cause to be conveyed or carried to any Port, Haven, place or creeke, to the intent to ship or load such wooll or flockes, upon paine of forf. as well of the said woolls and flockes so loaded, shipped, conveyed and carryed, as of the ship, vessel or boat wherein the same shall be loaded if the master, owner, or governor thereof, be in any wise privie to the same, the one moitie of the said forfeiture to be to the use of our said Sovereign Lord the King, and the other moitie to him or them that shall seise, finde or present the said forfeitures or any of them, or that will sue therefore by action of debt, bill, plaint, information, or otherwise in any of the Kings Courts of his Graces Bench, Common place, or Exchequer, wherein the partie defendant shall in no wise be admitted to wage his lawe, nor in the said action, bill, plaint, or information, any effoigne, ne protection, nor any licence, pardon or placard, graunted or to be graunted by any Lieutenants or Deputie of this land to any person or persons, which shall be impeached to have offended contrary to the forme and effect of this, or any other Act touching the prohibition or lading of woolls or flockes, shall be allowable, and if any plaes be pleaded in any suit, bill, pleint, information, or action, not triable within this land, nor within any such place, where the Kings writ doe runne within this land, then by authority of this Act, every such plaes, if any issue be taken of the same, shall be tryed by verdict of twelve men in the shire or place where any such action, bill, plaint, or information shall be commenced. Any thing to the contrary hereof had or made notwithstanding. And it is also enacted by authority aforesaid, That the Kings Justices of plaes before his Grace to be holden within this land for the time being, and every of them, and his highness Barons of his Graces Exchequer for the time being, & every of them (that is to say) the said Justices in the Kings Bench, and the said Barons in the Exchequer, and every person to be authorized by the Kings commission, to enquire of the offenders of any thing or things mentioned or comprised in this present Act, shall have full power & authority from time to time, to enquire of the offenders of every article, thing or things, provided and established by authority of this present Act, and of the said Act made in the said thirtieth yeare of our said Sovereign Lord as well by presentment, verdict, or oathes of twelve men or otherwise, and the same shall heare, determine, and adjudge in like maner, forme, and condition, as they may doe any other matter coming or growing before them, whereof they within the jurisdiction of their courts, have good authority And that none of them shall take any lesse fine upon any person or persons so offending and being thereof lawfully convicted by verdict, confession or otherwises then the very value of the forfeiture thereof limited and appointed by this present Act,

1r. St. 13 H.
8. cap. 2.

Act, or by the ſaid Act made and eſtabliſhed in the ſaid thirteenth
 yeare of the raigne of our ſaid moſt dread Soberaign Lord. And be it
 further enacted by the ſame authority, That every Searchour which
 ſhall have full knowledge or be privy to the carrying, conveying or lad-
 ing of any wooll or flockes contrary to this act, and conceale the ſame
 without preſenting the cauſe of ſuch forfeiture into the Kings Arche-
 quer, or before the ſaid Juſtices within fourteene dayes next follow-
 ing, if the Terme be then open, and if it be not, then within ſixe dayes
 of the beginning of the Terme then next following. And being con-
 victed thereof by verdict, confeſſion, or otherwiſe before any of the
 ſaid Juſtices Barons of the ſaid Archequer or commiſſioners, that he
 hath otherwiſe offended contrary to this act, ſhall forfeit ſuch eſtate
 as he ſhall have in his ſaid office at the time of the offence committed,
 and by authority of this Parliament unhabled and repelled from the
 exerciſing, receiving or accuſpying of that office for ever. Any Letters
 patents or other gift or graunt to him thereof made or had, or to be
 had or made in any wiſe notwithstanding. And if afterward contrary
 to the tenour of this Act, he receive, exerciſe or uſe the ſame office, he
 ſhall loſe for every day that he ſo uſeth or accuſpieth it xl. s. the one
 halfe thereof to be to the uſe of our Soberaign Lord the King, and
 the other halfe to be to him or them that will ſue for the ſame by ori-
 ginnall writ of debt, bill, plaint, information or otherwiſe in any
 the Kings courts, wherein the partie defendant ſhall not wage
 his law, ne in the ſame any eſſoine, licence, pardon plackard, or pro-
 tection ſhall be allowed. And if any Searchor or Searchors, within
 this land doe make, aſſigne, or appoint any deputie or deputies, fac-
 tour or factours, ſervant or ſervants for the uſing, exerciſing, or occu-
 pying of his or their ſaid office, which ſhall have knowledg or be privy
 to the carrying, conveying or lading of any wooll or flockes contrary
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 in fourteene dayes next following, if the Terme be then open, and if it
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 following, and being thereof convicted by verdict, confeſſion or other-
 wiſe before any of the ſaid Juſtices, Barons of the ſaid Archequer, or
 Commiſſioners, that they or any of them hath otherwiſe offended con-
 trarie to his Act. Any ſuch Searcher or Searchers that ſhall ſo appoint
 any ſuch perſon or perſons to be his or their deputie or deputies, fac-
 tour or factours, ſervant or ſervants, ſhall offend or conceale as is a-
 ſoreſaid, five pound, the one halfe thereof to the uſe of our ſoberaign
 Lord the King. the other halfe to be to him or them that will ſue for the
 ſame, by originall writ of debt, bill, plaint, information or otherwiſe,
 in any of the King courts, wherein the partie defendant ſhall not wage
 his law, ne in the ſame no eſſoine, licence, pardon, plackard or pro-
 tection ſhall be allowed. Be it alſo enacted by authority aſoreſaid, that
 every packe or fardell, laden, or ſhipped, or carried, ſent or conveyed to
 any place within this land, to the intent to be laded or ſhipped, wherein
 any maner of wooll or flockes, ſhall be ſet, packed, or enclosed, ſhall be
 ſeized & forfeited, whereof the one halfe ſhall be to our ſoberaign Lord
 the Kings uſe. and the other half to him or them that ſhall ſeiſe or take
 the ſame, or ſue for the ſame by action of debt, bill, plaint, informa-
 tion or otherwiſe in any of the Kings courts, wherein the partie defen-
 dant ſhall not wage his law. ne in the ſame any eſſoine, licence, pardon
 plackard, or protection ſhall be allowed, any thing or things hereto-
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ons of the idleness of the people, waste, ruine, and desolation of the Kings cities and Borough townes, and other places of his Dominion within this land. Be it therefore enacted, ordained and established by the assent and consent of our said Sovereign Lord the King, the lords spiritual and temporal, and the commons in this present Parliament assembled, & by authority of the same, That all Licences, and plakards heretofore had, made, or granted by our Sovereign Lord the King, or hereafter to be had, made or granted by any the Kings Lieutenants Deputy or Deputies of this land to any person or persons contrary to the true meaning, form & effect of the said statute, shall be clearly voyd & of none effect. And also that no maner person ne persons from henceforth doe load, ship, convey or carry in any ship vessel or boat, no maner woolls or flockes, nor convey or carry, or cause to be conveyed or carried to any Port, Haven, place or cræke, to the intent to ship or load such wooll or flockes, upon paine of for. as well of the said woolls and flockes so loaded, shipped, conveyed and carryed, as of the ship, vessel or boat wherein the same shall be loaded if the master, owner, or governor thereof, be in any wise privie to the same, the one moitie of the said forfeiture to be to the use of our said Sovereign Lord the King, and the other moitie to him or them that shall seise, finde or present the said forfeitures or any of them, or that will sue therefore by action of debt, bill, plaint, information, or otherwise in any of the Kings Courts of his Graces Bench, Common place, or Exchequer, wherein the partie defendant shall in no wise be admitted to wage his lawe, nor in the said action, bill, plaint, or information, any essoine, ne protection, nor any licence, pardon or placard, granted or to be granted by any Lieutenants or Deputie of this land to any person or persons, which shall be impeached to have offended contrary to the forme and effect of this, or any other Act touching the prohibition or loding of woolls or flockes, shall be allowable, and if any ples be pleaded in any suit, bill, pleint, information, or action, not triable within this land, nor within any such place, where the Kings writ doe runne within this land, then by authority of this Act, every such ples, if any issue be taken of the same, shall be tryed by verdict of twelve men in the shire or place where any such action, bill, plaint, or information shall be commenced. Any thing to the contrary hereof had or made notwithstanding, And it is also enacted by authority aforesaid, That the Kings Justices of ples before his Grace to be holden within this land for the time being, and every of them, and his highness Barons of his Graces Exchequer for the time being, & every of them (that is to say) the said Justices in the Kings Bench, and the said Barons in the Exchequer, and every person to be authorized by the Kings commission, to enquire of the offenders of any thing or things mentioned or comprised in this present Act, shall have full power & authority from time to time, to enquire of the offenders of every article, thing or things, provided and established by authority of this present Act, and of the said Act made in the said thirteenth yeare of our said Sovereign Lord as well by presentment, verdict, or oathes of twelve men or otherwise, and the same shall heare, determine, and adjudge in like maner, forme, and condition, as they may doe any other matter coming or growing before them, whereof they within the jurisdiction of their courts, have good authority And that none of them shall take any lesse fine upon any person or persons so offending and being thereof lawfully convicted by verdict, confession or otherwises then the very value of the forfeiture thereof limited and appointed by this present Act,

Ir. St. 13 H.
8. cap. 2.

Act, or by the said Act made and established in the said thirteenth
 yeare of the raigne of our said most dread Soberaign Lord. And be it
 further enacted by the same authority, That every Searchour which
 shall have full knowledg or be privy to the carrying, conveyng or lad-
 ing of any wooll or flockes contrary to this act, and conceale the same
 without presenting the cause of such forfeiture into the Kings Erche-
 quer, or before the said Justices within fourteene dayes next follow-
 ing, if the Terme be then open, and if it be not, then within sixe dayes
 of the beginning of the Terme then next following. And being con-
 victed thereof by verdict, confession, or otherwise before any of the
 said Justices Barons of the said Erchequer or commissioners, that he
 hath otherwise offended contrary to this act, shall forfeit such estate
 as he shall have in his said office at the time of the offence committed,
 and by authority of this Parliament unhabled and repelled from the
 exercising, receiving or accuppyng of that office for ever. Any Letters
 patents or other gift or graunt to him thereof made or had, or to be
 had or made in any wise notwithstanding. And if afterward contrary
 to the tenour of this Act, he receive, exercise or use the same office, he
 shall lose for every day that he so useth or accuppieth it xl. s. the one
 halfe thereof to be to the use of our Soberaign Lord the King, and
 the other halfe to be to him or them that will sue for the same by ori-
 ginall writ of debt, bill, plaint, information or otherwise in any
 the Kings courts, wherein the partie defendant shall not wage
 his law, ne in the same any essoine, licence, pardon plackard, or pro-
 tection shall be allowed. And if any Searchor or Searchors, within
 this land doe make, assigne, or appoint any deputie or deputies, fac-
 tour or factours, servant or servants for the using, exercising, or occu-
 pyng of his or their said office, which shall have knowledg or be privy
 to the carrying, conveyng or loding of any wooll or flockes contrary
 to this Act, and conceale the same without presenting the cause of such
 forfeiture in the said Kings erchequer, or before the said Justices with-
 in fourteene dayes next following, if the Terme be then open, and if it
 be not, then within sixe dayes of the beginning of the Terme then next
 following, and being thereof convicted by verdict, confession or other-
 wise before any of the said Justices, Barons of the said Erchequer, or
 Commissioners, that they or any of them hath otherwise offended con-
 trarie to his Act. Any such Searcher or Searchers that shall so appoint
 any such person or persons to be his or their deputie or deputies, fa-
 ctour or factours, servant or servants, shall offend or conceale as is a-
 foresaid, five pound, the one halfe thereof to the use of our Soberaign
 Lord the King, the other halfe to be to him or them that will sue for the
 same, by originall writ of debt, bill, plaint, information or otherwise,
 in any of the King courts, wherein the partie defendant shall not wage
 his law, ne in the same no essoine, licence, pardon, plackard or pro-
 tection shall be allowed. Be it also enacted by authority aforesaid, that
 every packe or fardell, laden, or shipped, or carried, sent or conbayed to
 any place within this land, to the intent to be laded or shipped, wherein
 any manner of wooll or flockes, shall be set, packed, or enclosed, shall be
 seyled & forfeited, whereof the one halfe shall be to our Soberaign Lord
 the Kings use. and the other half to him or them that shall seise or take
 the same, or sue for the same by action of debt, bill, plaint, informa-
 tion or otherwise in any of the Kings courts, wherein the partie defen-
 dant shall not wage his law, ne in the same any essoine, licence, pardon
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 fore had, made or provided to the contrarie notwithstanding. provided

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that this Act ne any thing or things therein contained, be prejudicial or hurtfull to, or for, Edward Aberke of Manchester merchant, but that he by himſelfe, or any other to his uſe, during his life natural, may lode or carie yearly at his and their pleaſure, into England, ſlocks or wooll to the value of xl.li. to be yearly entered with the Cuſtomer, Controller, and ſearcher of any port or haven where the ſame ſhall be ſhipped and loden, this Act or any thing or things, therein mentioned, notwithstanding.

CAP. XVIII

An Act for the prooſe of Teſtaments. Rot^h Parl Cap. 29.

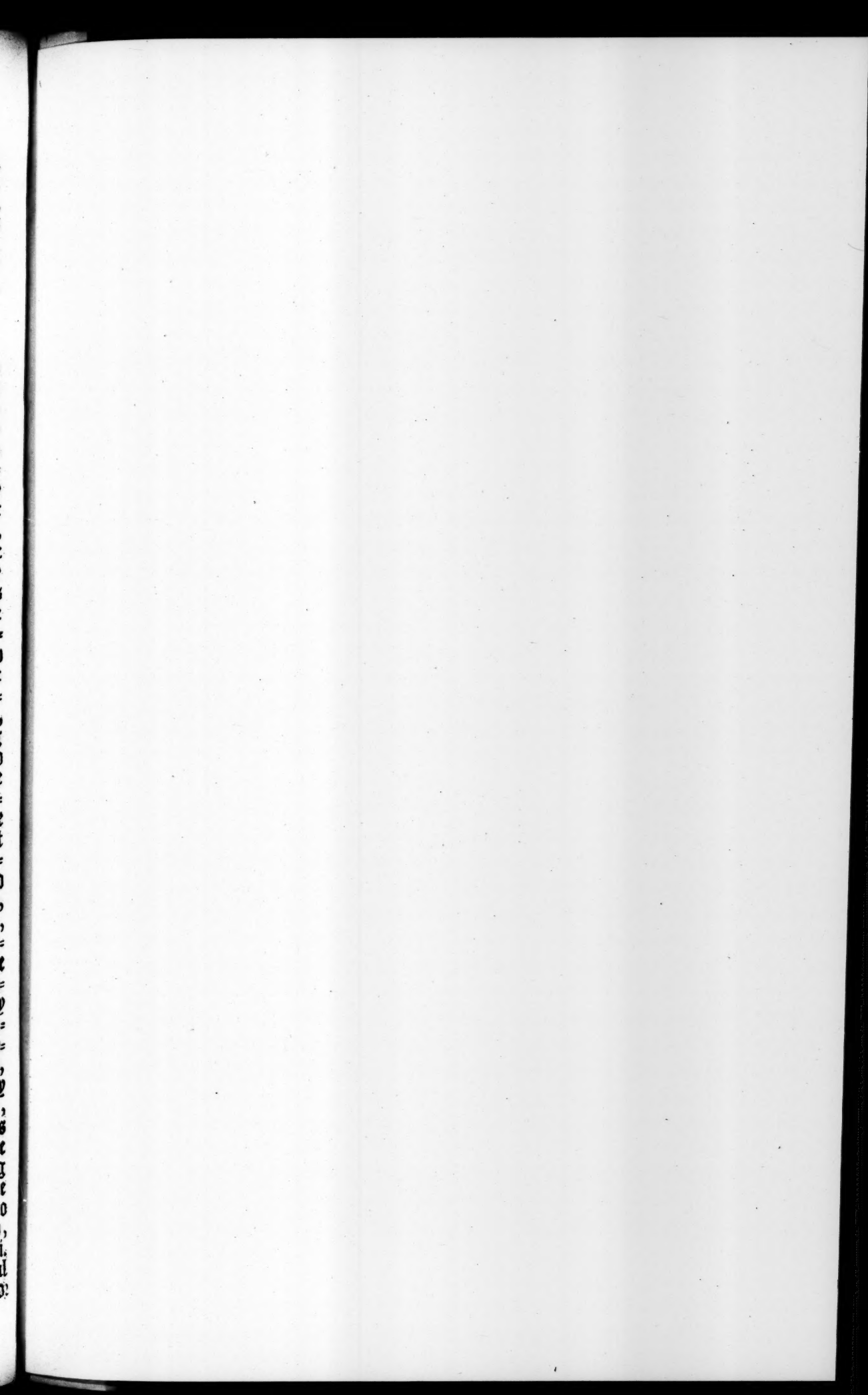
How, where
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The recital
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31 Ed. 3 c.
11 in Angl.
2 H. 8. c. 5.

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but 3 li. 6 s.
8 d.

Forasmuch as in a Parliament holden at Westminster in the one and thirtieth yeare of the noble Prince King Edward the third, upon the complaint of his people, for the outrageous and grievous fines and ſummes of mony, taken by the miniſters of Biſhops and other Ordinaries of holy Church, for the probate of Teſtaments, and for the acquittance by the ſaid Ordinaries of the ſame to be made concerning the ſame, the ſaid noble King in the ſame Parliament openly charged and commaunded the Archbiſhop of Canterbury, and other Ordinaries, for that time being, that amendment thereof ſhould be had, and if none amendment thereof be had, it was by authority of the ſame Parliament accorded, that the King ſhould thereof make enquiry by his Juſtices, of ſuch miſdemeanors, and that the ſame Juſtices ſhould heare and determine them as well at the ſuit of the king, as the partie, as of old time hath been uſed, as by the ſame eſtatute more plainly it appeareth, and after for further avoyding of the ſame, divers good and wholſome eſtatutes and lawes thereof was made, as well in the third yeare of the raigne of King Henry the fiſt, as in the one and twentieth yeare of our moſt dread Sovereign Lord King Henry the eight, as by the ſaid Statutes more plainly it appeareth, and conſidering the great pobertie that reſteth among the Kings ſubiects of this land of Ireland by many and divers occaſions, and that the taking of the ſaid exactions in no part be deminiſhed, but from time to time encreaſed to the impoveriſhing and hinderance of the Kings true ſubiects, the ſaid eſtatutes and lawes notwithstanding. For remedie whereof, be it enacted, ordeyned, and eſtabliſhed by authority of this preſent Parliament, that from the firſt day of Februarie, in the yeare of our Lord God one thouſand five hundred thirtie ſeven, nothing ſhall be demaunded, received ne taken by any Archbiſhop, Biſhop, Ordinary, Archdeacon, Chancelloz, Commiſſary, Officiall, or any other maner perſon or perſons whatſoever he or they be, which now have or hereafter ſhall have authority or power, to take or receive probacion, inſinuation or approbation of Teſtament or teſtaments by himſelfe or themſelves, nor by his or their Regiſters, Notaries, Scribes, Praiſors, Sumners, Appariſors, or by any of their miniſters, ſarmors, or ſervants for the probacion, inſinuation and approbation of any Teſtament or Teſtaments, or for the commiſſion of adminiſtration of the goods or cattells of any perſon dying inteſtate, or for writing, ſealing, prayſing, regiſtring, fines, making of inventories, giving of acquittances, or for any coſtes and charges, or any other maner of cauſe concerning the ſame, where the goods of the Teſtator of the ſaid Teſtament, or the perſon ſo dying inteſtate or otherwiſe, doe not amount clereſly over and above the value of iii. li. vi. s. viii. d. Iriſh money, except of the Scribe or Notarie, to have for the writing of the probat of the Teſtament of him deceased, whoſe goods ſhall not be above the ſame clere value of iii. li. vi. s. viii. d. Iriſh. Iriſh and except the Ordinary his Commiſſary, Officiall





or other miniſter having the cuſtodie of his ſeale uſuall accuſtomed for the ſealing of Teſtaments for the War, ſealing and deliverie of the probate of the Teſtament of him deceaſed, whoſe goods ſhall not be above the ſame clære value of iii. li. vi. s. viii. d. Iriſh, and to the Scribe for the writing of the commiſſion of adminiſtration of the goods of any man dying, or deceaſing inteſtate, not being above like value of iii. li. vi. s. viii. d. and to the ordinarie, his commiſſarie, official or other miniſter, having the cuſtody of his ſaid ſeale for war, ſealing and delivering of the ſame commiſſion viii. d. iii. d. Iriſh, & that nevertheless the archbiſhop, Biſhop, ordinary, or other perſon or perſons, having power or authoriſty, to take or receive the probation inſinuation or approbation of teſtaments, reſuſe not to approve or make any ſuch teſtament, or make any ſuch commiſſion being lawfully deſired, tendered, or offered to them to be proved, approved or made then whereof the goods of the teſtator or perſon ſo dying inteſtate, or otherwiſe amount not above the value of thre pounds ſire ſhillings eight pence Iriſh, ſo that the ſaid Teſtament or commiſſion, be exhibited to him or them in writing readie to be ſealed, and that the ſame Teſtament be lawfully proved before the ſame ordinary before the ſealing to be the true whole and laſt Teſtament, of the ſame teſtatour in ſuch forme as hath ben commoly accuſtomed in that behalfe, and when the goods of the teſtatour doth amount over and above the clære value of iii. li. vi. s. viii. d. and doe not exceed the ſumme of ten pound Iriſh, that then no Archbiſhop, Biſhop, Ordinarie, nor other maner perſon or perſons whatſoever he or they be, now having or that hereafter ſhall have authoriſty to take probation or approbation of any Teſtament or Teſtaments, as is aforeſaid by themſelſe or any of their ſaid Registers, Scribes Notaries, Prayſours, Sumners, Apparitors, nor any other their miniſters for the probation, inſinuation, and approbation of any Teſtament or Teſtaments, or for the commiſſion of adminiſtration of the goods and cattels of any perſons dying inteſtate, or for writing, regiſtring, ſealing, prayſing, making inventories, giving of acquitances, fines, or for any coſtes or charges, or for any other maner of cauſe concerning the ſame, ſhall take or cauſe to be taken of any perſon or perſons, but only thre ſhillings foure pence Iriſh, and not above, whereof to be to the Ordinarie, or to other perſon or perſons, having power & authoriſty to take any probation of any Teſtment, or Teſtaments, for him & his miniſters, ii. s. & not above, and vi. d. reſidue of the ſaid iii. s. iii. d. to be to the Scribe, Notarie, or Register, for the writing and regiſtring of the ſame. And where the goods of the Teſtator, or perſon or perſons ſo dying inteſtate or otherwiſe, doe amount over and above the clære value of i. li. Iriſh, and do not exceed the ſumme of ii. li. Iriſh, that then the Archbiſhop, Biſhop, ordinary, nor other perſon or perſons now having, or which hereafter ſhall have authoriſty or power to tak probate of teſtaments as is aforeſaid, by him or themſelſe or any of his or their ſaid Registers, Scribes, Notaries, Prayſers, Sumners, Apparitors, or any other their miniſters for the probation, inſinuation, & approbation of any Teſtament, or Teſtaments, or for the commiſſion of adminiſtration, of the goods or cattalls of any perſon dying inteſtate, or for writing, regiſtring, ſealing, prayſing, making of inventories, giving of acquitances, fines or for any coſtes or charges, when the goods not above ii. li. Iriſh. or for any maner of cauſe concerning the ſame, ſhall take or cauſe to be taken, of any perſon or perſons but onely vi. s. viii. d. Iriſh, and not above, whereof to be to the Ordinarie or to other perſon or perſons, having power or authoriſty to take probation of any Teſtament or Teſtaments.

When not
above xl. li.
Irish.

Testaments, for him and his Ministers v. s. Irish, and not above, & xviii. d. residue of the vi. s. viii. d. to be to the Scribe, Notary, or Register, for the writing and Registring of the same. And when the goods of the Testator or person or persons so dying intestate or otherwise, do amount to the clear value of xx. pounds Irish, and do not exceed the sum of xl. li. Irish, that then the Archbishop, Bishop or Ordinary nor other person or persons now having, or which hereafter shall have authority or power to take probate of Testaments as is aforesaid by him or themselves or any of his or their Registers, Notaries, Praisers, Sumners, Apparators, or any other their Ministers, for the probation, insinuation, and approbation of any Testament or Testaments, or for the commission of Administration of the goods or cattles of any person dying intestate, or for Writing, Registring, Sealing, Praising, making of inventories, giving of acquittances, fines, or for any costs or charges, or for any manner of cause concerning the same, shall take or cause to be taken of any person or persons, but onely x. s. Irish, and not above, whereof to be to the ordinary, or to other person or persons, having power or authority to take any probation of any Testament or Testaments, for him and his Ministers, viii. s. Irish and not above and ii. s. residue of the said x. s. to be to the Scribe, Notary, or Register, for the Writing and registring of the same, and when the goods of the Testator or person or persons so dying intestate or otherwise, do amount to the clear value of xl. pounds Irish and not exceed the sum of C. li. Irish that then the Archbishops, Bishops, nor Ordinaries nor other person or persons now having, or which shall have hereafter authority or power to take Probate of Testaments, as is aforesaid, by him or themselves, or any of his or their Registers, Notaries, Praisers, Sumners, Apparators, or any other their Ministers, for the Probation, insinuation, and Approbation of any Testament or Testaments, or for the Commission of Administration of the goods and cattles of any person dying intestate, or for Writing, Registring, Sealing, Praising, Making of inventories, giving of acquittances, fines, or for any costs or charges, or for any manner of cause concerning the same, shall take or cause to be taken of any person or persons but onely xvi. s. viii. d. Irish, and not above, whereof to be to the Ordinary, or to other person or persons having power or authority to take any probation of any Testament or Testaments for him and his Ministers xiiii. s. Irish, and not above, and ii. s. viii. d. residue of the said xvi. s. viii. pence, to the Scribe, Notary, or Register, for the Writing and Registring of the same. And when the goods of the Testator or person or persons so dying intestate, or otherwise, do amount to the clear value of One Hundred pounds Irish, and above, whatsoever the sum or quantity thereof be. That then the Archbishops, Bishops, or Ordinaries, or other person or persons now having, or which hereafter shall have Authority or Power to take Probate of Testament as is aforesaid, by him or themselves or any of his or their Registers, Notaries, Praisers, Sumners, Apparators or any other their Ministers, for the probation, insinuation, and approbation of any Testament or Testaments, or for the commission of administration of the goods and cattles of any person dying intestate, or for Writing, Registring, Sealing, Praising, making of inventories, giving of acquittances, fines, or for any costs or charges, or for any other manner of cause concerning the same

When C. li.
Irish.



same probate of Testament, shall take or cause to be taken of any person or persons, but onely xx. s. Irish, and not above, whereof to be to the Ordinary or to any other person or persons having power or authority to take any probate of Testament or Testaments, for him and his Ministers xvi. s. viii. d. Irish, & not above & iii. s. iv. d. residue of the said xx. s. to be to the Scribe, Notary or Register, for the writing and Registering of the same. And that every such Archbishop, Ordinary, or other person or persons so having, or which hereafter shall have authority or power to take or receive the probations, or approbations of any Testament or Testaments, or to make any commission of any administration of any goods or cattles of any person or persons dying intestate, their Registers, Scribes, Notaries, and Ministers shall approve, Ordain, make, insinuate, Seal and Register from time to time the said Testaments and Commissions, and deliver the same Sealed with the Seal of their Office, to the Executor or Executors, Administrator or Administrators, named or appointed for the same. And that for the said sum or sums abovesaid, and in manner and form as is above rehearsed, to deliver it with convenient speed, without any frustratory delay, and in case any die intestate, or that the executors so named refuse to prove the said Testament, then the said Ordinary, or other person or persons, having authority to take probate of Testaments, as is above said, shall grant the Administration of the Goods of the Testatour or person deceased, to the Widow of the person deceased, or to the next of his kin, or to both, as by the discretion of the same Ordinary shall be thought good, taking suerty of him or them to whom shall be made such commission, for true Administration of the goods, cattles, and debts which he or they shall be so authorized to Minister, and in case where diverse persons claim the Administration as next of kin, the which be equal in degree of kindred to the Testatour, or person deceased, and where any person onely desireth the Administration, as next of kin, where indeed diverse persons be in equality of kindred, as is aforesaid: then in every such case the Ordinary to be at his election and Liberty to accept any one or moe, making request, where diverse do require the administration, or where but One or moe of them, and not all being of equality of degree, do make request then the Ordinary do admit the Widow and him or them Onely making request, or any One of them at his pleasure, taking nothing for the same and that in manner and form as is abovesaid, and that the Executor and Executors named by the Testatour or person deceased, or such other person or persons to whom such Administration shall be admitted, where any person dyed intestate or by way of intestate, calling or taking to him or them such person or persons, two at the Least, to whom the said person so dying was indebted, or made any Legacy, and upon their refusal or absence two other honest persons being next of kin to the person so dying, and in their default or absence two other honest persons, and in their presence. and by their discretions, shall make or cause to be made, a true and perfect Inventory of all the goods, cattles, wares, merchandise, as well moveable as not moveable whatsoever, that were of the said person so deceased, and the same shall cause to be indented, whereof the One part shall be by the said Executor or executors, Administrator or administrators upon his or their oath, or oathes to be taken before the said Archbishop, Bishop, Ordinaries, their officall or commissaries, or other person having power to taken probat

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Eng. St. 21
H. 8. c. 5.
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ministrati-
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Whether in
equal de-
gree then
at the ele-
ction of the
Ordinary,
&c.

How an In-
ventory
shall be
made

If the Will
direct any
land to be
sold, that to
be no part
of the de-
ceased
goods.

Copies of
Testaments
to be given.

If formerly
took, less
sums there
to to conti-
nue.

Testament
de sem co-
bert.
Not to be
received.

If the sem
cobert were
not execu-
tor or admi-
nistratoz, or
have things
in action

of Testaments upon the holy Evangelist to be good and true, and the same one part indented shall be presented and delivered, into the keeping of the said Archbishop, Bishop, Ordinarie, or Ordinaries or other person or persons, having power to take probate of Testaments, and the other part thereof to remain with the executor or executors, administrator or administrators. And that no Archbishop, Bishop, Ordinarie, or other person having authority to take probate of Testaments as is aforesaid, upon the paine in this estatute hereafter contayned, refuse to take any such inventorie or inventories to him or them presented or tendred to be delivered as is aforesaid, and that they ne none of them shall procure or cause to be procured any other inventorie for the probation or approbation of any Testament, or making any letters or commission of administration, if the said inventorie or inventories, be presented to him or them, or intended to be delivered in maner & forme as is aforesaid in which inventorie or inventories to be made in maner and form as is aforesaid, all corne and cattell to be rated and valued to the same price and value, as hath bene used and accustomed to be valued, and praysed, within the dioces of Mierthe in every inventory before this time made for the probation of any Testament or making of any commission of administration. Provided alway if the person or persons so deceased, will by his or their testaments, or last will, any lands, tenements, or hereditaments, to be sold, that the mony thereof coming, nor the profits of the said lands for any time to be taken, shall not be accounted as any of the goods or cattels of the said person so deceased. And that the said Archbishop, Bishop, ordinary, or other person or persons having authority to take probate of testaments, as is aforesaid, upon the delivery of the seale and signe of the testator, doe cause the same seale to be defaced, and thereupon incontinent to redeliver the said seale unto the said executor, or executors, administrator, or administrators, without claime or challenge thereunto to be made. And in case any person or persons, at any time hereafter, require a copie or copies of the said testaments so provided, or of the said inventorie so made, that then the said ordinary or ordinaries & thother persons having authority to take probate of testaments or their ministers, shall from time to time with convenient speed, without any frustratorie delay, deliber, or cause to be delibered a true copy or copies of the same to the said person or persons, so demaunding them or any of them taking for the search and for the making and writing of everie of the said Testaments, or Inventories, but only such fe as is before rehearsed for the writing and registering of the same. Provided alway, that where any person or persons having power or authority to take probate of Testaments, have used to take lesse summes of mony than is abovesaid, for the probate, of Testaments or commissions of administrations & other cause concerning the same, shall take and receive such summe or summes of mony for the probate of Testaments and commissions, of administrations, and other cause concerning the same, as they before the making of this Act have used to take, and not above. Be it further enacted by authoritie aforesaid, That no Archbishop, Bishop, Ordinary, or other person having any power or authoritie to probe or approve any Testament, shall compell the husband or friend of any woman covert to probe or approve any Testament of her husbands goods. or shall take or receive, or cause to be taken or received, any money or other thing for the probation or approbation of any Testament of any woman covert, or making of any commission of administration for or concerning the pretended goods of any such woman covert, unless the said woman covert be executor or administrator to any



any testator deceased, or otherwise have cause or title of action, whereof her husband after her death have no remedy by course of the common law, upon pain hereafter limited. And it is enacted that every Archbishop, Bishop Ordinarie, Archdeacon, Chauncellour, Commissarie, Official, and other person or persons having, or the which hereafter shall have authority to take any probate of Testaments, their ministers, farmours registers, scribes, praisors, sumners apparatours, and all other their officers or servants whatsoever they be that shall doe or attempt, or cause to be done or attempted against this Act or ordinance in any thing, shall forfeit and lose for every time so offending to the party grieved in that behalfe so much money as any such person abovesaid shall take contrary to this present Act, & over that shall forfeit & l. Irish, whereof the one moiety shall be to the King our Sovereign Lord, and the other moiety to be to the person so grieved in that behalf that will sue by action of debt, bill, plaint, information, or otherwise, in any of the Kings courts for the recoverie of the same, in which action no esloine, protection, ne wager of Law shall be admitted or allowed, And that every of the said Archbishops, Bishops, and other persons, which hereafter shall incur, or fall into the danger of such penalty or forfeiture, shall be charged onely for himself, and none of them to be chargeable to that penalty for other offences. Provided alway, that this present Act be not prejudicial to any Ordinary or other person which now have, or hereafter shall have authority to take probate of Testaments, but that every of them shall and may convent before them, all and every person and persons made and named executor or executors of any Testament, to the intent to prove or refuse the Testament or Testaments of their testatour or testatours, and to bring inventories and to doe every other thing concerning the same as they might doe before the making of this Act, so that alwayes any such Ordinary or other person or persons having such authority by themselves, their Commissaries, Scribes, Registers, or other ministers, aforesaid, shall not in any wise take for the same, above the fees limited by this Act, ne in any wise attempt any thing contrary to any part of the same Act.

Forfeiture
for doing a-
gainst this
Act.

C A P. XIX.

The Act of Faculties. Rot. Parl. cap. 30.

VHerein a Parliament begun at London in the Realme of England, the third day of November in the xxi. yeare of the reign of our most dread Sovereign Lord King Henry the eighth King of England and of Fraunce, defendour of the faith, Lord of Ireland, and supreme head in earth of the Church of England, and from thence adjourned to Westminster, and by divers prorogations there holden and continued, it was and is enacted amongst other things in maner and forme as followeth: Most humbly beseechen your most royal Majestie your obedient and faithfull subjects, the Commons in this present Parliament assembled by your most dread commandement, that where your subjects of this your realm, and of other countries and Dominions being under your obedience by many yeares past have bene and yet be greatly decayed and impoverished, by such intolerable exactions of great summes of money as hath been claymed and taken, and yet continually be claymed to be taken out of this your Realme, and other your said countreys and Dominions by the Bishop of Rome called the Pope, and the See of Rome, as well in pensions, cences, Peter-pence, procurations, fruits, suits for prohibitions, and expeditious of Bulls for Archbishopricks, and Bishopricks, and

An Act of
dispensations.
Rep. p. 2, &
3 Ph. & Ma.
Revived p.
2. El. cap. 1.
Eng. St. 25
H. 8. cap. 21.

Sums of
money that
have been
paid to the
See of
Rome:

Et

for

This realm
free from
any Lawes,
but what
are devised
within the
same.

The Parli-
ament hath
power to di-
spense with
Humane
Lawes and
to authorize
others so to
do.

for delegacies and rescripts in causes of contentions and appeales, iurisdiccions legatibe, and also for dispensations, licences, faculties, graunts, relaxations, writs called *(perinde valere)* rehabilitations, abolitions, and other infinite sorts of Bulles, Breves, and instruments of sundry natures, names, & kindes, in great numbers, heretofore practised and obtayned otherwise then by the lawes, laudable uses and customes of this Realme shoulde be permitted, the specialties wherof been over long large in number and tedious here particularly to be inserted, wherein the Bishop of Rome aforesaid, hath not bene only to be blamed for his usurpation in the premisses, but also for his abusion and beguiling your subjects, pretending and perswading to them, that he hath full power to dispence with all humane lawes, uses, and customes of all Realms in all causes, which he called spiritual, which matter hath bene usurped and practised by him and his predecessors, by many yeares, in great derogation of your imperial Crowne, & authority royal, contrarie to the right & conscience, for where this your Graces Realme, recognising no superiour vnder God, but onely your Grace; hath bene & yet is free from subiection to any mans lawes, but onely to such as hath been devised, made and ordained within this Realme for the wealth of the same, or to such other as by sufferance of your Grace and your progenitors, the people of your Realme have taken at their free liberty by thir owne consent to be used among them, and have bound themselves by long use and custome to the observance of the same, not as to the observance of the lawes of any forreine prince, potentate or prelate, but as to the accustomed and auncient lawes of this realme, originally established as lawes of the same by the said sufferance, consent and customes, and none otherwise. It standeth therefore with natural equitie and good reason that in all and every such lawes humane made within this Realme, or induced into this realme by the said sufferance, consent, and custome, your royall Majestie and your Lords spiritual and tempozal, and commons representing the whole state of your Realme and this your most high court of parliament, have power and authority not onely to dispence, but also to authorize some elect person and persons, to dispence with those and all other humane lawes of this your Realme, and with every one of them, as the qualitie of the persons, and matters shall require, and also the said Lawes and every of them to abrogate, adnull, amplifie, or diminish, as it shall be sene to your Majestie, and the Nobles and Commons of your Realm, present in your Parliament meet & convenient for the wealth of your Realme, as divers good and wholsome Acts of Parliament, made and established as well in your time, as in time of your most noble progenitors it may plainly and evidently appeare. And because it is now in these dayes present sene, that estate, dignitie, superiortie, reputation, and authority of the said imperial Crowne of this Realme, by the long sufferance of the said unreasonable and uncharitable usurpations & exactions, practised in the times of your most noble progenitors, is much and sore decayed and diminished, and the people of this Realme thereby impoverished, and so, or worse, be like to continue, if remedie be not therefore shortly provided: It may therefore please your most noble Majestie, for the honour of Almighty God, and for the tender love, zeale and affection that ye beare and alwayes have borne to the wealth of this your Realme and Subjects of the same: for as much as your Majestie is supream head of the Church of England, as the Prelates and Clergie of your Realme, representing your said Church in their Synodes and Convocations, have recognised.

recognised in whom consisteth full power and authority upon all such lawes as have been made and used within this Realme: to ordeyne and enact by assent of your Lords Spiritual, and Temporal, and the Commons in this your present Parliament assembled, and by authority of the same, That no person or persons of this your realm, or of any other your dominions, shall from henceforth pay any pensions, cences, portions, Peter-pence, or any other impositions, to the use of the said Bishop, or of the See of Rome, like as heretofore they have used by usurpation of the said Bishop of Rome, and his predecessors, and sufferance of your highness, and your most noble progenitors to doe. But that all such pensions, cences, portions, and Peter-pence which the said Bishop of Rome, otherwise called the Pope, hath heretofore taken and perceived, or caused to be taken and perceived to his use, & his chambers which he calleth Apostolique by usurpation & sufferance as is above said within this your Realme, or any other your dominions, shall from henceforth cleerely surcease, and nevermore be levied, taken, perceived, nor payed to any person or persons in any manner wise. Any institution, use, prescription, or custome to the contrary thereof notwithstanding. And be it further enacted by authority aforesaid, That neyther your highness, your heyres nor successors, Kings of this Realm, nor any your subjectes of this Realm, nor any of any other your dominions, shall from henceforth sue to the said Bishop of Rome, called the Pope, or to the See of Rome or to any person or persons having or pretending any authority by the same for licences, dispensations, impositions, faculties, graunts, rescripts, delegacies, or any other instruments, or writings, of what kind, name, nature, or qualitie soever they be of, for any cause or matter, for the which any licence, dispensation, composition, facultie, graunt, rescript, delegacie, instrument, or other writing heretofore hath been used and accustomed to be had and obtained at the See of Rome, or by authority thereof, or of any Prelate of this Realme, nor for any manner of other licences, dispensations, compositions, faculties, grauntes, rescripts, delegacies or any other instruments or writings, that in causes of necessity may lawfully be graunted without offending of holy Scriptures and lawes of God, but that from henceforth every such licence, dispensation, composition, facultie, graunt, rescript, delegacy, instrument, and other writing aforesaid, and mentioned, necessary for your highness your heyres and successors, and your and their people, and subjects upon the due examinations of the causes and qualities of the persons, procuring such dispensations, licences, compositions, faculties, graunts, rescripts, delegacies, instruments, or other writings shall be graunted had, and obtained, from time to time within your Realme and other your dominions, and not elsewhere, in manner and form following, and none otherwise (that is to say) the Archbishop of Canterbury for the time being, and his successors, shall have power and authority from, time to time, by their discretions, to give, graunt, and dispose by an instrument under the seale of the said Archbishop unto your Majesty, and to your heyres and successors Kings of this Realme, as well all manner such licences, dispensations, compositions, faculties, graunts, rescripts, delegacies, instruments, and all other writings, for causes not being contrary or repugnant to the holy Scriptures and lawes of God, as heretofore hath, beene used and accustomed to be had and obtained by your highness, or any your most noble progenitors, or any of your or their subjects at the See of Rome, or any person or persons by authority of the same. And all other licences, dispensation,

The enacting parr. No impositions shall be paid to the See of Rome,

No person shall sue for any dispensation to the Bishop of Rome.

How the dispensations shall be had in his Majesties Dominions.

Archbishop of Canterbury to give such dispensations to the King as the Pope did, if not repugnant to the laws of God.

By the
Archbiſhop
his Com-
miſſary or
Deputy.

In cauſes
not accuſto-
med not to
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without the
Kings Li-
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In cauſes of
importance
to be confir-
med under
the great
Seal and
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facultise, compositions, graunts, reſcripts, Delegacies, instruments, and other writings, in, for, and upon, all ſuch cauſes & matters, as ſhall be convenient and neceſſarie to be had for the honour and ſuertie of your highneſſe, your heyres and ſucceſſours, and the wealth and profit of this your Realme, ſo that the ſaid Archbiſhop, or any his ſucceſſours in no maner wiſe, ſhall graunt any diſpenſation, licence, reſcript, or any other writing afore rehearſed, for any cauſe or matter repugnant to the lawes of Almighty God. Be it alſo enacted by authority aforeſaid, that the ſaid Archbiſhop and his ſucceſſours after good & due examinations by them had of the cauſes and qualities of the perſons procuring for licences, diſpenſations, compositions, faculties, delegacies, reſcripts, instruments, or other writings, ſhall have full power and authority by themſelves, or by their ſufficient and ſubſtantial Commiſſarie or deputie by their diſcretions from time to time to graunt and diſpoſe by an instrument under the name and ſeale of the ſaid Archbiſhop, as well to any of your ſubjects, as to the ſubjects of your heyres and ſucceſſors, all maner licences, diſpenſations, faculties, compositions, delegacies, reſcripts, instruments, or other writings, for any ſuch cauſe or matter, whereof heretofore ſuch licences, diſpenſations, compositions, faculties, delegacies, reſcripts, instruments, or writings have bin accuſtomed to be had at the See of Rome, or by authority thereof, or of any prelate of this realm. And that the ſaid Archbiſhop and his Commiſſarie ſhall not graunt any other licence, diſpenſation, composition, facultie, writing, or instrument in cauſes untwont, and not accuſtomed to be had or obtained at the Court of Rome, nor by authority thereof, nor by any Prelate of this Realme, untill your Grace your heyres or ſucceſſors, or your or their counſaile ſhall firſt be advertiſed thereof, and determine whe ther ſuch licences, diſpenſations, compositions, faculties, or other writings, in ſuch caſes untwont, and not accuſtomed to be diſpenſed withall or obtained ſhall commonly paſſe as other diſpenſations, faculties, or other writings ſhall or may, upon pain that the graunters of every ſuch licence, diſpenſation, or writing in ſuch cauſes untwont contrary to his Act, ſhall make fine at the will and pleaſure of your Grace, your heyres and ſucceſſors. And if it be thought and determined by your Grace, your heyres or ſucceſſors, or your or their counſaile, that diſpenſations, faculties, licences, or other writings in any ſuch cauſes untwont ſhall paſſe, then the ſaid Archbiſhop or his Commiſſarie, having licence of your highneſſe, your heyres or ſucceſſors for the ſame by your or their bill aſſigned, ſhall diſpence with them accordingly. Provided always, that no maner of diſpenſations licences, faculties, or other reſcripts or writings, hereafter to be granted to any perſon or perſons by virtue or Authority of this Act by the ſaid Archbiſhop or his Commiſſarie, being of ſuch importance, that the tare for the expedition thereof at Rome extended to the ſumme of foure pound or aboue, ſhall in any wiſe be put in execution till the ſame licence, diſpenſation, facultie, reſcript or other writing, of what name or nature ſoeuer it be firſt confirmed by your highneſſe, your heyres and ſucceſſors, Kings of this Realme, under the great ſeale, and enrolled in your Chauncerie in a roll by a Clerk to be appoynted for the ſame. And that this Act ſhall be a ſufficient warrant to the Chauncelour of England, for the time being, or to him whom your Grace, your heyres or ſucceſſors, ſhall depute to be keeper of the Great ſeale, to confirme in your name, your heires or ſucceſſors the aforeſaid writings paſſed under the ſaid Archbiſhops ſeale by letters patents in due forme thereof to be made under your great Seale, remitting as well the ſaid writ-

writing under the Archbishops ſeale, as the ſaid confirmation under the great ſeal to the parties from time to time procuring for the ſame. And that all ſuch licences, diſpenſations, faculties and other reſcripts and writings, for the expedition of the which the ſaid taxes to be payed at Rome was under four pound, which be matters of no great importance, ſhall paſs only by the Archbishops ſeale, and ſhall not of any neceſſitie be confirmed by the great ſeale unleſs the procurers of ſuch licence, faculty, or diſpenſation, deſire to have them ſo confirmed in which caſe they ſhall pay for the ſaid great Seale to the uſe of your highneſſe your heires and ſucceſſors, five ſhillings ſterling, and not above, over and beſide ſuch tax as ſhall be hereafter limited for the making, writing, regiſtring confirming and enrolling of ſuch licences, confirmations and writings, under the ſaid tax of four pound. And that every ſuch licence, diſpenſation, compoſition, facultie, reſcript, and writing, of what name or nature ſoever it be, for ſuch cauſes, as the tax was wont to be foure pound or above, ſo granted by the archbiſhop and confirmed under the great ſeal, an all other licences, diſpenſations, faculties, reſcripts, and writings hereafter to be granted by the Archbiſhop by vertue and authority of this Act, whereunto the great Seale is not limited of neceſſity to be put to, by reaſon that the tax of them is under foure pound ſhall be accepted, approved, allowed, and admitted good and effectuell in the law in all places, courts, and jurisdictions, as well ſpirituall as temporal within this Realme, and elſewhere within your dominions, and as beneficial to the perſons obtaining the ſame, as they ſhould have, been, if they had been obtained withall things requiſite of the See of Rome, or of any other perſon by authoritie thereof without any revocation or repeale hereafter to be had of any ſuch licences, diſpenſations, faculties, reſcripts or writings of what nature ſoever they be. And that all children procreated after ſolemnization of any marriages to be had or don by vertue of ſuch licences or diſpenſations ſhall be admitted, reputed and taken legitimate in all courts, as well ſpirituall as temporal, and in all other places, and inherit the inheritance of their parents and auncellors within this your Realme, and all other your dominions, according to the lawes and cuſtomes of the ſame. And all acts to be done, had, or executed, according to the tenour of ſuch licences, diſpenſations, faculties, writings, or other inſtruments to be made or graunted by authority of this Act, ſhall be firme, permanent, and remaine in force. Any forrein lawes, conſtitutions, decrees, canons, decretalls, inhibitions, uſe, cuſtome, preſcription, or any other thing had, or hereafter to be made to the contrary notwithstanding. And he it further enacted, that the ſaid Archbiſhop and his ſucceſſors, ſhall have power and authority to ordeyn, make and conſtitute a Clerke which ſhall write and regiſter every ſuch licence, diſpenſation, facultie, writing, or other inſtrument to be graunted by the ſaid Archbiſhop, and ſhall finde, Parchment, wax, and ſilken laces convenient for the ſame, & ſhall have for his paines ſuch ſummes of money as ſhall be hereafter in this preſent Act to him limited in that behalfe for the ſame. And that likewise your Grace, your heires & ſucceſſors, ſhall by your Letters patents under your great ſeal, ordein, depute, & conſtitute one ſufficient Clerke, being learned in the courſe of Chauncery, which alwayes ſhall be attendant upon the Lord Chancellour, or the Lord Keeper of the great Seale for the time being, and ſhall make, write, and inroll the confirmations of all ſuch licences, diſpenſations, inſtruments, and other writings, as ſhall be thither brought under the archbishops ſeal, there to be confirmed and

In caſes of leſs importance, to be only under the Archbishops ſeal, unleſs the party deſire to have them confirmed under the Great Seale.

A Clerke to be made by the Archbiſhop, for writing and regiſtring them.

A Clerke to be appointed by the King, to write and inroll the confirmations.

inrolled. And shall also entitle in his bookes, and inroll of record such other writings as thither shall be brought under the Archbishops seal, not to be confirmed, taking for his paines such reasonable summes of money, as hereafter by this Act to him shall be limited for the same. And that as well the said Clerke appointed by the said Archbishop, as the said Clerke to be appointed by your highness your heyres or successours, shall subscribe their names to every such licence dispensation, facultie or other writing that shall come to their hands to be writtten made, graunted, sealed, confirmed, registred, and enrolled by authority of this Act in forme, as is before rehearsed. And forasmuch as the charges of the obtayning of the said licences, dispensations, faculties, and other rescripts or writings aforesaid at the court of Rome by the losses, exchanges, and in conducting of curours and wadding solicitors to sue for any such licences, dispensations faculties, instruments, and other rescripts or writings, have bene grievous and excessive to your people, and many times greater summes have ben demanded for the speedie expedition in the court of Rome, then be expressed in the old tax, limited to be payed for the said expeditions, whereby your people have been brought to an uncertainty upon the payment for expeditions of such things and by reason thereof, have ben constrained to pay more then they were wont to doe, to the great impoverishing of this Realme, as is aforesaid, And sometimes the spreading of such dipensations, faculties, licences, and other writings at Rome have been so long deferred that the parties labouring for the same, have suffered great incommodities and losses for lack of quick speed, which hereafter may be had within this your Realm, to the great commoditie of your people, wherby the charges of making exchanges, conducting of curours and solicitors for the said dispensations shall be abated, and your people so much relieved and eased, to the intent that all ambiguitie and uncertaintie of payments for dispensations, faculties, licences, and other rescripts and writings may be taken away, that no fraud or exaction shall be exercised upon your people by such officers as shall be appointed by this Act to take paines in speeding such dispensations faculties, and licences, but that your people may be sure and certaine, what they be appoynted to pay for the same. Be it enacted by this present Parliament, and by thau-
thority of the same, that there shall be two bookes drawn and made of one tenour, in which shall be conteyned the taxes of all customable dispensations, faculties, licences, and other writings wont to be sped at Rome, which bookes, & every leafe of those bookes, & both the sides of every leafe shall be subscribed by the Archbishop of Canterbury, the Lord chancelour of England, lord Tresuroz of England & the two chief Justices of both the Benches for the time being. To the which bookes all suitours for dispensations, faculties, licences, & other writings afoze rehearsed, shall have recourse, if they require it, & one of the said bookes shall remaine in the hands of him which shall be appointed to be Register and Scribe of the said dispensations, faculties, and licences, under the said Archbishoppe of Canterburie, in form as is before said, and the other booke shall remaine with the Clerke of the Chauncerie, which by your Grace, your heyres or successours shall be appointed, as is before rehearsed, which Clerke of the Chauncery shall also entitle and note particularly and daily in his booke ordeyned for that purpose, the number and qualitie of the dispensations, faculties, licences, and other rescripts and writings, which shall be sealed only with the seal of the said Archbishop and also which shall be sealed with the said seal and confirmed with the great

Two bookes
to be made
of the taxes
of all accu-
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&c. one to
remain
with each of
the Clerks.

great ſeal in forme as is aforeſaid, that all fraude and concealment in this behalfe may be avoyded. And be it enacted by this preſent Parliament, and by authorizy of the ſame, That no man ſuing for diſpenſations, faculties, licences, or other reſcripts or writings, which were wont to be ſped at Rome ſhall pay no more for their diſpenſations, faculties, licences, or reſcripts then ſhall be conteyned, taxed and limited in the ſaid duplicate booke of taxes (onely compositions excepted) of which being arbitrarie, no tax can be made, wherefore the tax thereof ſhall be ſet and limited by the diſcretion of the ſaid Archbiſhop of Canterbury, and the Lord Chauncellour of England, or the Lord Keeper of the great ſeal for the time being. And that ſuch as ſhall exact or receive of any ſutour more for any diſpenſation, facultie, or licence then ſhall be conteyned in the ſaid booke of taxes, ſhall forfeit ten times as much as he ſhall ſo extorciouſly exact and receive, the one halfe of the which forfeiture to be to the uſe of your Grace, your heires or ſucceſſors the other halfe thereof to be to ſuch of your ſubjects as will ſue for the ſame by action, bill or plaint, in any of your Graces courts, where in the defendant ſhall have no eſſoine or protection allowed, neyther ſhall be admitted to wage his law. Be it alſo enacted by this preſent Parliament, and authority of the ſame, that the tax or ſumme appointed to be payed for every ſuch diſpenſation, licence, facultie, inſtrument, reſcript, or other writing to be graunted by authority of this act ſhall be employed and ordered as hereafter enſueth (that is to ſay) if the tax extend to four pound, or above, by reaſon whereof the diſpenſation, licence, facultie, reſcript or writing, which ſhall paſs by the ſaid Archbiſhops Seale muſt be confirmed by the appencion of the great Seal, then the ſaide tax ſo extending to foure pounds, or above, ſhall be divided into three parts, whereof two ſhall be perceived by the ſaid clerke of the Chauncerie, to be appointed as is aforeſaid to the uſe of your Highneſſe your heires and ſucceſſors, and to the uſe of the Lord Chauncellour, or the Keeper of the great Seal for the time being, and to the uſe of the ſaid Clerke, in ſuch wiſe as hereafter ſhall be declared, and the third part ſhall be taken by the ſaid Clerke of the Archbiſhop, to the uſe of the ſame Archbiſhop, and his Commiſſarie, and the ſaid Clerke and Register, in ſuch wiſe as hereafter ſhall be ordered and limited by this Act: that is to ſay, the ſaid two partes ſhall be divided in four parts, of which three parts ſhall be taken to the onely uſe of your highneſſe your heires and ſucceſſors, and the fourth part ſhall be divided into three parts, whereof the Chauncellour of England, or Lord Keeper of the great Seal for the time being, ſhall have two parts, and the ſaid Clerke of the Chauncerie the third part for his pains, tra-
vailles and labours that he is limited to write, and doe by vertue of this Act, and the third part of the whole tax appointed to the ſaide Archbiſhop and his officers, as is aforeſaid, ſhall be divided in three parts, whereof the Archbiſhop ſhall have to his uſe, two parts, and his officers ſhall have the third part thereof, of which third part to be divided, two parts the ſaid Clerke or Register, which ſhall finde parch-
ment, wax, and ſlike, and ſhall deviſe and write the ſaid diſpenſations, licences, faculties, reſcripts or other writings, and register the ſame, ſhall have for his ſaid labour, and for receiving, and for re-
paying of the ſummes of money, that ſhall come to his hands for diſpenſations, faculties, licences, and other reſcripts aforeſaid, the one moiety thereof, and the Commiſſary of the ſaid Archbiſhop appointed to ſeale the ſame diſpenſations, faculties, licences and reſcripts, ſhall have the other part: and if the tax be under foure pound

The taxes
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ſe above 4

and not under fortie ſhillings, then the ſaid tare ſhall be divided into three parts, as is aforeſaid, whereof the Kings highneſſe, his heires and ſucceſſors ſhall have two parts, whereof abating three ſhillings four pence, which ſhall be to the ſaid Clerke of the Chauncerie, for ſubſcribing, entitling, and enrolling the ſaid diſpenſations, licences, faculties, reſcripts, and other writings aforeſaid, and receiuing of the Kings money ſo taxed, and the Archbiſhop and his officers ſhall have the third part, which third parte ſhall be divided into two parts, whereof the Archbiſhop ſhall have the one entirely to himſelfe, his Scribe and Commiſſarie the other part thereof, egally to be divided amongſt them for their coſts and paines in that behalfe, and if the tare be under fortie ſhillings, and not under twentie ſix ſhillings eight pence, the ſame tax ſhall be divided into two partes, whereof the one part ſhall be unto your Grace, your heires and ſucceſſors, deducting thereof for the Clerke of the Chancery two ſhillings for his paines, as is aforeſaid, and the other part ſhall be to the Archbiſhop and his officers, which other part ſhall be divided into two parts, whereof the Archbiſhop ſhall have the one, and his Commiſſarie and Scribe ſhall have the other, egally divided amongſt them, And if the tare be under xxvi. s. viii. d. and not under twentie ſhillings, the ſame ſhall be divided in two parts whereof your Grace, your heires and ſucceſſours ſhall have the one part intirely, abating two ſhillings thereof to the ſaid Clerke of the Chauncerie and the Archbiſhop and his officers ſhall have the other part, and the ſame other part ſhall be divided into three parts, whereof the Archbiſhop ſhall have one, his Commiſſarie the ſecond, and his Scribe or Register the third: and in caſe the tare be under twentie ſhillings, the ſame ſhall be perceived to the uſe of the ſaid Commiſſary, clerke of the ſaid Archbiſhop, and clerke of the Chauncery to be egally divided amongſt them, for their paines and labours by them to be ſuſteyned by authoritie of this act, as is aforeſaid Provided alſo, that this Act ſhall not be prejudiciall to tharchbiſhop of Yorke, or to any biſhop or prelate of this Realme, but that they may lawfully notwithstanding this act diſpence in all cauſes, in which they were wont to diſpence by the common law or cuſtome of this Realme afore the making of this Act. Provided alſo, and be it enacted by authoritie aforeſaid that if it happen the See of the Archbiſhopricke of Canterbury to be void, that then all ſuch maner of licences diſpenſations, faculties instruments, reſcripts, and other writings which may be graunted by, vertue and authoritie of this Act, ſhall during the vacation of the ſame See, be had, done, and graunted under the name and ſeal of the Gardian of the ſpiritualties of the ſaid Archbiſhopricke for the time being, according to the tenour and forme of this Act, and ſhall be of like force, value and effect, as if they had been graunted vnder the name & ſeal of the Archbiſhop for the time being. And be it further enacted, that if the aforeſaid Archbiſhoppe of Canterbury for the time being, or the ſaid Gardian of the ſpiritualties for the time being, hereafter reſuſe or denie to graunt any licences, faculties, diſpenſations, instruments, or other writings which they be authorized to doe, by vertue and authoritie of this Act, in ſuch maner and forme as is afore remembred or to any perſon or perſons that hath a good, juſt & reaſonable cauſe to have the ſame. by reaſon whereof this preſent Act by their wilfulneſſe, negligence or default, ſhould take none effect then the Chauncellor of England, or the Lord Keeper of the great Seal for the time being, vpon any complaint thereof made, ſhall direct the Kings Writt to the ſaid Archbiſhop or Gardian, denying or reſuſing to graunt ſuch licences, diſpen-

dispensations, faculties, or other writings, enioyning him by the said writ upon certaine payn therein to be limited by the discretion of the said Lord Chauncellour or Keeper of the great Seal, that he shall in due forme graunt such licence, dispensation, faculties or other writing according to the request of the procurers of the same, or else signifie unto your highness your heyres and successours in the court of Chauncery at a certaine day, for what occasion or cause he refused and denied to graunt such licences, faculties or dispensations, and if it shall appeare unto the said Lord Chancellor or Lord Keeper of the great Seal, upon such certificate that the cause of refusal or denial of granting such licence, faculties, or dispensations, was reasonable, just, and good, that then so being proved by due search and examination of the said Chauncellour or Lord Keeper of the great Seal to be admitted and allowed: & if it shall appeare upon the said certificate, that the said Archbishop or Gardian of spiritualls for the time being, of willfulnesse in contemning the due execution of this Act, without just and reasonable cause, refused or denied to graunt such licences, faculties, or dispensations, that then your highnesse your heyres and successours, being thereof enformed after due examination had, that such licences, faculties, or dispensations may be graunted without offending the holy Scriptures and Lawes of God, shall have power and authoritie in euerie such cause, for the default, negligence and willfulnesse of the said Archbishop or Gardian to send your writ of Injunction under your great seal, out of your said Court of Chauncerie, commaunding the said Archbishop or Gardian that so shall denie or refuse to graunt such licence, facultie or dispensation, to make sufficient graunt thereof according to the tenour and effect of this Act, by a certain day under a certain paine, in the said writ to be conteyned and to be limited by your highnesse your heyres and successours, Kings of this Realm: And if the said Archbishop or Gardian after the receipt of the said writ refuse or denie to graunt such licences, faculties or dispensations as shall be enioyned him by vertue of the said writ, and shew and prove before your Majestie, your heyres or successours, no iust or reasonable cause why hee should so doe then the said Archbishop or Gardian that so shall refuse to put this Act in execution, according to the said writ of Injunction, shall suffer, lose, and forfeit to your highnesse your heires and successours, such pain and penaltie as shall bee limited and expessed in the said writ of Injunction. And ower that it shall be lawfull to your highness your heyres and successours, for every such default and wilfulnesse of the said Archbishop or Gardian for the time being, to geve power and authoritie by commission under your great Seal, to such two spirituall Prelates or persons to be named by your Highnesse your heires or successours, as will doe and graunt such licences, faculties and dispensations, refused or denied to bee graunted by the said Archbishop or Gardian in contempt of this act. And be it further enacted by authoritie aforesaid, that the said two spirituall prelates or persons to whom in such cases anie such Commission shall bee directed shall have power and authoritie to graunt every such licence, facultie, dispensation, instrument, and other writings so refused to bee graunted by the said Archbishop or Gardian for the time being by an instrument under their seales, taking like fees and charges for the same, as is before rehearsed, and not aboue under the pain aboue remembred. And that every such licence facultie and dispensation so graunted for any causes or matters whereunto any confirmation under the kings great seal is appointed by this Act to be had in manner and forme aboue declared

If the archbishop or Guardian of the spiritualities refuse to grant dispensations according to this statute then the chancelor may grant his writ enioyning him to grant them

that the Archbishop refusing to grant the dispensation shall forfeit the penaltie in the writ;

and a Commission to be granted for that purpose to two spirituall Prelates,

this statute
not to ex-
tend to any
thing harp-
ing from the
Catholick
faith or holy
scriptures

howe not to
extend to
pluralities
of benefices

shall be had and obtayned accordingly and such licences & confirmati-
ons shall be had for like fees & charges as they are above specified & not
aboue, under the paines aboue mentioned. And that every such licence,
facultie, dispensation, and other writing to be graunted by the said Pre-
lates or persons to be assigned by the Kings highnesse, his heyres and,
successors as is aforesaid, shall be of as good value, strength, and effect
and as beneficiall and profitable to the persons procuring the same, as if
they had been made, graunted and obtayned under the name and seal
of the said Archbishop. Provided alway, that this Act nor any thing
or things therein mentioned, shall be hereafter interpreted or expoun-
ded, that your Grace, your Nobles and subjects intend by the same to
decline or varie from the congregation of Christs Church in any things
concerning the verie articles of the Catholicke faith of Christendome,
or in any other things declared by holy Scriptures, & the word of God
necessarie for your and their salvations, but onely to make an ordi-
nance by policies necessarie & conuenient to repress vice, and for good
conservation of this Realme in peace, unitie, and tranquillitie from re-
uine and spoyl, ensuing much the olde auncient customes of this Realm
in that behalfe, not minding to seeke for any reliefes, succours or reme-
dies for any worldly things and humane lawes in any cause of necessi-
tie, but within this Realm at the hands of your highnesse, your heyres
and successors Kings of this Realm, which haue and ought to haue
an imperiall power and authoritie in the same and not obliged in anie
worldly causes to any other superior. Provided alway, that the said
Archbishop of Canterbury, or any other person or persons shall haue
no power or authoritie by reason of this Act to visite or bere any mona-
stherie, abbeyes, priories, colledges, hospitals houses or other places reli-
gious, which bee or were exempt before the making of this Act, any thing
in this Act to the contrary thereof mentioned notwithstanding, but
that redress, visitation, & confirmation shall be had by the Kings highnesse
his heyres & successors by commission under the great seal to be direct-
ed to such persons as shall bee oppoynted, requisite for the same, in such
Monasteries Colledges, Hospitalls, Priories houses and places religious
exempt, so that no visitation nor confirmation shall from henceforth
bee had or made, in or at any such Monasteries, Colledges, Hospitalls,
Priories, houses and places religious exempted by the said Bishop of
Rome, or anie of his authoritie ne by anie out of the Kings dominions,
nor that any person religious, or other resident in anie the Kings domi-
nions, shall from henceforth depart out of the Kings Dominions, to or
for any visitation, Congregation, or Assembly for Religion,
but that all such visitations, Congregations, and assemblies shall be
within the Kings Dominions. Provided also, that this present act, or
any thing therein contayned, or any licence or dispensation hereafter
to be made, by vertue and authoritie thereof, shall not extend to the re-
peal or derogation of the late Act made sithence the beginning, of this
present parliament for the reformation of pluralities of Benefices, and
for non-residence of spirituall persons upon their dignities or Benefices,
nor to any things conteyned or mentioned in the said Act, nor that
this Act nor any thing to be done by authoritie thereof shall not be taken,
expounded, nor interpreted to give licence to anie person or persons, to
haue any more number of Benefices, then is limited in the said Act, and
that the same Act for pluralities & non-residence of Benefices, and every
thing therein conteyned, shall stand good & effectuell in all intents, accor-
ding to the true meaning thereof, any thing in this present Act, or any li-
cence or dispensation to be had by authoritie thereof in any wise notwith-
stand-

ſtanding. And be it further enacted by authoritie aforeſaid, that if any perſon or perſons ſubiect or reſiant within this Realm, or within any the Kings Dominions at any time hereafter, ſue to the court of Rome, or to the See of Rome, or to any perſon claying to have his authoritie by the ſame for any licence, facultie, diſpenſation, or other thing or things, contrarie to this Act, or put in execution any licence, facultie or diſpenſation, or any other thing or things hereafter to be obtayned from Rome, or the See of Rome, or from any claying authoritie by the ſame for any of the cauſes aboue mentioned in this Act, or for any other cauſes that may be graunted, by authoritie of this Act or attempt to doe any thing or things contrarie to this Act, or maintain, allow, admit or obey anie maner of cenſures, excommunications, interdiction, or any other proceſſe from Rome, of what name or nature ſoeuer it be, to the derogation or let or execution of this Act, or of any thing or things to be done by reaſon of the ſaid Act, that then every ſuch perſon or perſons ſo doing, offending & being thereof convict, their ayders, counſailers and abbettores, ſhall incur to run into the plain loſſe and penaltie, comprized and ſpecified in the act of prohibition and **Præmunire** made in the ſixteenth yeare of your moſt Noble Progenitor, King Richard the ſecond, againſt ſuch as ſued to the Court of Rome, againſt your Crowne and dignitie royall. Provided alſo, that this Act, or any thing therein conteyned, ſhall not hereafter bee taken nor expounded to the derogation or taking away of any graunts or confirmations of any libertie, priuiledges, or iuriſdiction of any monaſteries, abbeyes, priories, or other houſes, or places exempt which heretofore the making of this Act hath been obtayned at the See of Rome, or by authoritie thereof, but that every ſuch graunt & confirmation ſhall be of the ſame value, force & effect, as they were afore the making of this act & as if this Act had never bin made. Provided alwayes, that the Abbots, priors & other chiefe rulers & governors of ſuch monaſteries, abbeyes priories & other houſes & places exempt, ſhall not hereafter pay any penſion, portion, or other cenſe to the See of Rome, nor admit nor accept any viſitation, nor any confirmation, from, or by the ſaid See of Rome, or by authoritie thereof, or for any perſon to be elect named, or preſented to be heads of any ſuch Monaſteries, Abbeyes, Priories, places or houſes, exempt, nor ſhall make any corporall oath to the Biſhop of Rome, other wiſe called the Pope upon paines limited in this Act, but that every ſuch viſitation and confirmation of ſuch heads, elect in any ſuch Monaſteries, Abbeyes Priories, houſes or places exempt, where after election they were bounden to have and obtaine any confirmation of their election, or of the perſon named, preſented, or elect, ſhall be from henceforth had made and done within this Realme, at and within every ſuch Abbeyes, Monaſteries, Priories & other houſes and places exempt by ſuch perſon or perſons as ſhall be appointed by authoritie of the Kings commiſſion from time to time as the caſe ſhall require, and not by the See of Rome, nor by authoritie thereof: any thing in this next **proviſo** aboue ſpecified to the contrarie thereof notwithstanding. Provided alwayes, that in ſuch Monaſteries, Abbeyes, Priories, and houſes exempt, where after elction, preſentation, or nomination of their heads, no ſuch confirmation is requiſite to be had, nor hath been uſed to be taken by reaſon of ſuch priuiledges as they have concerning the ſame that in every ſuch Monaſteries, Abbeyes, Priories, & places exempt, they ſhall not be bounden to obtain, have or take any confirmation for the ſame within this Realm by authoritie of this act, but uſe their priuiledges therein as they have done before the making of this Act: any thing in this Act or any the proviſoes next aboue rehearſed to the contrary thereof

Præmunire
to doe any
thing a-
gainſt ſpial
Act.

notwithstanding. Provided also, & be it enacted that this act or any thing or things, word or wordes therein or in the preamble thereof mentioned or conteyned is not extended or meant, nor shall be expounded nor interpreted that any dispensations, licences, or confirmations, for marriages graunted to any the Kings subiects, borne under his obeysance at any time before the twelfth day of March, in the year of our Lord God a thousand five hundred thirtie three, shall be appeyred, or of any lesse value, strength force or effect then they were at the said twelfth day of March nor that this Act or any thing therein conteyned, shall not extend to the derogation, appeyring or adnullation of any licences, dispensations, confirmations, faculties, or indulgences at any time before the said twelfth day of March, in the year of our Lord God a thousand five hundred thirtie three, had or obtained at the See of Rome, or by authoritie thereof to or for any subiects borne in this Realm, or in any the Kings dominions or to or for the hospitall of the Priour of Saint Johns Jerusalem in England, or any Commaundryes or members thereof, or to or for any Cathedral Churches Hospitals Monasteries, Abbeys, Priories, Colledges, Conventuall Churches, Parochiall Churches, Chappels, Fraternities Brotherhoods, or bodie politique within this Realm, or in any other the Kings dominions, but that everie such licence, dispensation, confirmation, facultie, and indulgence graunted before the said twelfth day of March, to any such subiect, or to the said hospitall of the priour of Saint Johns Jerusalem in England, and commaundries or members thereof, or to any other Cathedral Church, Hospitall, Abbey, Priory, Colledge, Church conventuall, parochiall Church, Chappell, Fraternity, Brotherhood, or body politique or to their predecessors or auncestors within this Realm, or in anie other the Kings dominions, shall be of the same force, strength, value and effect and may be from time to time put in execution at all times hereafter by and to them that will have the same as they mought have bin afore the making of this Act, and as if this act had never been had or made any thing in the said act to the contrary hereof notwithstanding. Provided alwayes, that such licences, dispensations, confirmations or faculties heretofore obtained at the See of Rome, or by authoritie thereof contrary to the expresse provisions of the Lawes and Statutes of this Realm heretofore made, shall not at any time hereafter, be used or put in execution in any place, to the derogation or contrarie to the said Lawes and Statutes of this Realm, and the provisions of the same any thing in this proviso to the contrary thereof notwithstanding, And be it enacted by authoritie of this present Parliament, that the King our Sovereign Lord, by the advise of his honourable counsaile, shall have power and authority from time to time for the ordzing, redresse and reformation of all maner of indulgences and priviledges thereof within this Realm, or within any the Kings dominions heretofore obtained at the See of Rome, or by authoritie thereof, and if the abuses of such indulgences and priviledges thereof as shall seeme good wholsome and reasonable for the honour of God and weal of his people, and that such order and redresse as shall be taken by his highnesse in that behalfe shall be observed and firmly kept upon the paines limited in this Act for the offending of the contents of the same, For as much as it is mentioned in the said Act, that the effects thereof, should not onely extend into the Realm of England, and to the commoditie thereof and of the subiects of the same, but also to all other the Kings dominions, and his subiects, and that this the kings land of Ireland is his proper dominion and a member appending and rightfully belonging to the imperiall Crown

not to be
contrary to
the Lawes
and Statutes
of this
Realme.

Croſone of the ſaid Realm of England, and united to the ſame, and alſo like inconveniences hath enſued within this land of Ireland, as hath been within the ſaid Realm of England by reaſon of the uſurpation of the Biſhop of Rome, like as is mentioned in the ſaid Act. Be it therefore enacted by authoritie of this preſent Parliament, that the ſaid act and every thing and things therein containned, ſhall be eſtabliſhed, affirmed taken, obeyed, and accepted within this land of Ireland, as a good and perfect law, and ſhall be within the ſaid land of the ſame force effect, qualitie, condition, ſtrength and vertue to all purpoſes and intents as it is within the Realm of England, and that all ſubjects and reſiants within this ſaid land of Ireland, ſhall obſerve, keepe obey, accompliſh and execute the effects and contents ſpecified in the ſaid Act, in like maner and forme as the ſubjects of the ſaid Realm of England, been bounden by authoritie of the ſame Act and ſhall have and enjoy the profit and commoditie thereof, after like maner, forme and condition, as the Kings ſubjects of the ſaid Realm of England, uſe, doe and have the ſame, and upon like paines and penalties as be comprised in the ſaid Act, and that all maner licences, diſpenſations, faculties, or other writings obtained by any ſubiect or reſiant within this land by authoritie of the ſaid Act, ſhall bee obeyed and executed within this land, and be good and effectuell to all intents and purpoſes, according to the tenor and effects thereof. Provided alway that this Act ſhall not be prejudiciall to any Archbiſhop, Biſhop, or Prelate of this land but that they may lawfully notwithstanding this Act, diſpence in all cauſes in which they were wont to diſpence, by reaſon onely of their owne proper offices and dignities by the common law or cuſtome of this land, before the making of this Act. And be it further enacted by authoritie aforeſaid that all and every perſon and perſons authorized and appointed, or to bee hereafter authorized and appoynted by the Kings highneſſe, his heyres and ſucceſſours by commiſſion under his great ſeal for the uſing exerciſing, and occupying of any jurisdiction eccleſiaſticall, or giving or graunting of any faculties licences, diſpenſations, or other thing or things mentioned or comprised in this Act or any part thereof, ſhall have the ſame and like authoritie to every purpoſe, meaning and intent for the uſing exerciſing, occupying, giving and graunting of the ſame and everie part thereof, as the Archbiſhop of Canterbury and his ſucceſſours for the time being, hath or ſhall have by any maner authoritie either within the ſaid Realm of England or this land of Ireland. And that the Chauncellour of this land for the time being, and all other perſons required and appointed by the forme of this Act to execute any thing for the perfection of the ſame ſhall have like and the ſame authoritie that the Chauncellour of England and all other perſons have by authoritie of this Act within the Realm of England: any forrein law authoritie, uſage or preſcription or anything in this Act mentioned to the contrarie notwithstanding.

CAP. XX.

An Act declaring the effect of Poyning's Act. Rot. Parl. Cap. 31.

PRayen the Lords ſpirituall and temporall, and the commons in this preſent parliament aſſembled, That whereas in the firſt ſeſſion of this preſent Parliament holden here at Dublin the firſt day of May in the xxviii. year of our moſt dread Sovereign Lord the King that now is, it was enacted by the authoritie of the ſame, that every act ordinance, proviſion, thing or things, of what nature, name condition or quality they were of, had done, made or eſtabliſhed, or after that in the ſame parliament to be had made, or eſtabliſhed by authoritie thereof

the body of the Act.

ſuch Commiſſioners as ſhall be appointed by the King under his great ſeal &c. ſhall have the ſame Authority in Ireland as the Archbiſhop of Canterbury in England.

Ir. St. 10.
h. 7. cap. 4.
Ir. St. 28.
h. 8. cap. 4.
that the ſtate made in this ſeſſion of parliament ſhall be of effect notwithstanding

withſand.
Poynings
Act.

ſhould bee good and effectuall to all intents and purpoſes according to the tenour and effect of the foregoing Acts ordinances and provisions. The Act made at Drogheda in the Parliament there holden the Monday next after the feaſt of Saint Andrew, in the tenth year of the moſt noble King of famous memory King Henry the ſeventh before Sir Edward Poynings Knight then being deputie of this land, or any other Act or Acts, uſe or cuſtome before the ſaid Act made the ſaid firſt day of May the ſame eight and twentieth year had, done, or made with- in this land to the contrarie of the ſame Act in the ſame eight and twentieth year of our ſoveraign Lord the King that now is notwith- ſtanding. Wherein it was alſo provided and enacted, that by force and vertue of that act, ne any thing therein contained no act ordinance, provi- ſion, thing or things of what nature, name condition or quality ſoever it were of, for any maner lordſhips, landſtenements, advowſons, abbeies priories, ſelles, or any other hereditaments whatſoever they were, for or between any perſon or perſons, body or bodies politique or corporate or any other particular act ordinance, or proviſion, or any other act ordi- nance or proviſion that ſhould be prejudiciall hurtfull or in derogation of any graunts or liberties, franchises, blages, cuſtomes, or any other commodities or priviledges given or graunted by our ſoveraign Lord the king or his noble progenitors to any citie or borough towne within this land of Ireland ſhould be enacted or eſtablished by vertue or autho- ritie of the ſame Parliament, but onely ſuch acts, ordinances and provisions, thing or things as ſhould be thought expedient for our ſobe- raign Lord the kings honour, the increaſe of his graces revenues and profite, and the common wealth of this his land and dominion of Ire- land, as at large is expreſſed and declared in the ſaid act. And for al- much as upon the laſt claufe of the ſaid proviſion in the ſaid act, that is to ſay, that no act ne acts but onely ſuch actes ordinances and provi- ſions, thing or things as ſhould be thought expedient for our ſobe- raign Lord the kings honour the increaſe of his graces revenues & pro- fite, and the common weal of this his land and dominion of Ireland, di- verſe and ſundry arguments alreadie have been moved and ſtirred ſo that the ſame act being in ſuch a copulative, everie act, ordinance and proviſion had, enacted and made ſithence the ſaid Act or hereafter to be had or made in this Parliament, ſhould be as well for the kings honour and profite, as alſo for the common wealth or otherwiſe, ſuch act, made or enacted ſhould be void and of none effect, whereas the mer- trueth, and the true mindes and intents of us, the ordeyners, deviſers and makers of the ſame act and proviſion was that all acts made or to be made in this Parliament, eyther for the Kings honour or for the in- crease of his Graces revenues or profites, or yet for the common wealth of this ſaid land, ſhould be good and effectuall, and the ſame ſhould be expounded, meant, interpreted, and taken that if any part thereof or acts or provisions were made or ordeyned, or ſhould be made or ordeyn- ed in this preſent Parliament, which ſounded and were either for the kings honour, his profit, or increaſe of his Graces revenues or els for the common wealth ſhould be accepted reputed and taken for good profitable acts ordinances and provisions, any act or acts to the con- trarie before then made and ordeyned notwithstanding. For the more plainer explanation, expoſition, and true declaration of our intents and mindes, the makers of the ſaid Act and proviſion: be it enacted and eſtablished by authoritie of this preſent Parliament that the ſaid act and proviſion ſhall bee taken, interpreted explained and expounded in ſuch ſort and forme that everie act and acts ordinance and proviſion made

Explanation
of the intent
of the ma-
kers of the
Act.

made and to be made in this present parliament, which toucheth and concerneth either the kings Highnesse his honour and profit, or increase of his revenues, or otherwise concerneth the common wealth of this his land and dominion of Ireland shal be good effectually, and available in the law, according to the purport and tenure of the same Act, or Ordinance and provision: any Act Statute Ordinance, provision, interpretation construction, and opinion to the contrarie before this time ordeyned or provided, notwithstanding. And be it further ordeyned and enacted by authoritie aforesaid that if any person or persons at any time hereafter arrogantly, wilfully and obstinately, by way of suit, action plea, or answer in any Court within this land after notice of this Act to him made by any the Judge or Judges of any such court sitting in iudgement where such suit or action shall be commenced doe attempt to adnihilate or avoid this Parliament, or any Act, Ordinance or Provision in the same Parliament made or to be made, which at the time of making of the same doth or did concerne eyther the kings honour profit or increase of his Graces revenues, or else the common wealth of this his land and dominion of Ireland, that everie such person and persons so attempting to adnihilate avorde and make frustrate any such act acts ordinances or provisions made or to be made in this present parliament in forme aforesaid, being thereof lawfully convict shall be reputed, accepted and taken as a felon, and suffer such penalties forfeitures, and losses as felons being lawfully counict, shall suffer and lose by the course of the common law. And be it further enacted by authoritie aforesaid, that every such suite, action and plee to be sued or pleaded before any Justice, or in any court within this land, shall not in any wise be allowable, but void and of none effect in law. And also be it enacted by like authoritie that this act shall extend to the corroborating and making effectually of all acts ordinances and provisions had or made, or to be had or made sithence the first day of this Parliament till the last day of this Session which shall be for the kings honour, or for the encrease of his Graces revenues or profits, or for the common wealth of this land and none otherwise. Any thing or things in this Act or in any other Act or Acts to the contrary had or provided notwithstanding.

what Statutes made this session shall be good in law notwithstanding Poynings Statutes.

CAP. XXI.

The Act of penal Statutes. Rotul^r Parliament, cap. 34.

VV Here diverse and many penall Statutes and ordinances have been made and ordeined, some, whereby the punishments be given onely to the King our Sovereign Lord his heyres and successors, by action writ, bill enditement or information and some, whereby the King by himselfe and any other common person for the King, or for himselfe onely may sue by writ, Bill enditement, or information against the offender or offenders in that behalfe, and because of long tract of time, and for sparing of the suit thereof, and that then after such long tract of time divers and many of the Kings true subiects have bin in time past vered and troubled for the penalties conteyned in the said statutes and ordinances more for malice then for justice, whereupon perjuries have ensued to the great trouble & vexation of the Kings true subiects, their heires and executors being ignorant of the said statutes and offences: Wherefore, and for the tender love and zeale that our Sovereign Lord the King beareth to his said loving subiects, and at ther humble desire, be it enacted ordeyned and established by his highnesse, and by the assent of the Lords spiritual and temporall, and the commons in this present parliament assembled and by the authoritie

when Actions shall be brought on penall Statutes.

If the King
his heires
or successors
are to bring
the action
it must be
brought
within three
yeares,

Sale or sepp-
ed with the
King or a
Common
person with-
in one
year.

Proviso
that if any
stat. limit a
shorter then
in that
time to be
taken,

of the same, That all and singular such actions suites, bills, endite-
ments, or informations, as from the first day of this present Parlia-
ment upon prorogation shall be commensed, taken sued had or made
onely for any pain and forfeiture, by reason or strength of any penall
statutes, whereunto the King onely, his heires or successors, and none
other common person shall or may have cause of action, or be entituled
by reason of the said penall statutes or any of them, shall bee com-
menced, sued, taken or had within three yeares next after the offence
or offences committed or forfeited of or for the same, had or made a-
gainst the ordinance and provision of any such act or acts statute or
statutes penall, and not after the said three yeares and that for any of-
fence or forfeiture made, or had to be made or had against the ordinance
& provision of any act or acts penall, made or ordeyned, or to be made
and ordeyned whereby action, suite, bill, or information popular is or
shall be given to any person or persons such as will sue for the king,
and for him or themselves, or onely for him or themselves, that such action
bill, suite, or information be commenced, sued, had or made by such
person or persons, other then the king, as will sue in that behalfe with-
in one year next after the offence or forfeiture had, made, or committed
against the ordinance and provision of any such act or acts penall and
not after the said year ended. And that the Kings suit by Writ, Bill
Plaint, enditement & enformation in that behalfe, be commenced, sued,
had or made within three yerres next after the offence or forfeiture made
or had against the provision and ordinance of any act or acts, statute or
statutes penall, and not after the said three yerres. And if any action
suit bill, enditment or information concerning the foresaid statutes or
any of them had or made other wise then within the time or times limit-
ed as is aforesaid, that the same action, suit, bill enditement, or infor-
mation, and every of them commenced, sued, had or made for the said
offence or offences, forfeit or forfeitures, shall be voyd and of no force
ne effect: any Act or Acts, statute or statutes, made or hereafter to be
made to the contrarie notwithstanding. Provided alway that where
any action, information, or enditment, limited by any statute to be had
made, or taken within shorter time or times then is afore rehearsed,
that it be had, made and taken according to the time limited in that
estatute &c.

CAP. XXII.

An Act for the Wares upon the Barrow and other waters in the County of
Kilkenny. *Rot. Parl. Cap. 36*

against pur-
prestures
and
Weares &
rested on the
Barrow
and other
Rivers in
the County
of Kilkenny.

Prayen the Commons in this present Parliament assembled, that
where at all times necessarie Boates Scowts, Wherries, Clarus
Cottes, and other vessels loden and bestowed with goods, Merchan-
dizes, and other stuff have been used to passe and repasse through and
in the Kings most excellent Majesties rivers and waters of the Barrow,
the Boyze, the Suyr, and the Rie within this land, which Rie is in
the county of Kilkenny, to and from the Kings Citie of Waterford, and
the Townes of Kilkenny, Rosse, and Clommel, to and from diverse
boroughes and corporate townes, and other places being situated in the
counties of Kylbare, Catherlagh, Waterford, Kilkenny, Waterford
and Tipperary, through which great commoditie and profit hath
growen and might grow to the said Citie, Townes, Boroughes and o-
ther places, and to all and every the Kings true subjects adjoyn-
ing to the same waters and rivers. And yet this notwithstanding, now
of late divers wilfull persons having no respect to the premilles, but
more rather to their own willfulnesse, singular commoditie, and be-
nefit,

benefite, having no ground ne cause reasonable to the ſame, have in divers places of the ſaid rivers and waters made ſuch Weeres, purpreſſures, ingines ſtreites, and other like obſtacles, and them and every of them ſo do keep and maintaine that by no meanes any Boates, ſcouts wherries Claraus, Cotters, & other veſſels laden and beſtowed as is aforeſaid can conveniently paſſe and repaſſe. And through which the Salmon frie, breeding in the ſaid waters and rivers be cleerly deſtroyed, contrarie to the effect and purpoſt of the ſtatutes therein provided and in divers ſundry places of the ſaid rivers and waters alſo doe take and procure to be taken divers exactions and unlawfull cuſtomes called bankfees of any Boate, ſcout, Wherrie, Claraue, Cotte, and other veſſell laden and beſtowed as is aforeſaid, going and paſſing in and through the Kings ſaid rivers and waters. Albeit that part of the ſaid borough townes by their liberties and charters be freely, and quite diſcharged of all manner of tolles paſſages cuſtomes, and pondages in the ſaid rivers and waters in the land on every ſide of the ſame. And that alſo ſuch perſon and perſons as be the boatemmen, and have the rule governance and conveying of the ſaid boates, ſcoutes, wheries, claraues, cotters, and other veſſels laden and beſtowed as is aforeſaid, at ſuch times as they be laden with Wines, of their deceit and craftie meanes doe from time to time draw, drinke, & take with them parcell of the ſaid Wines, and ſometimes putting in the veſſell where the ſaid Wine was to replenish the ſame the quantitie of ſo much water, whereby the residue of the ſaid Wine is cleerly deſtroyed, to the great loſſes and damages of the verie owners thereof: through which promiſſes the Merchants, occupiers and dwellers of the ſaid Cities, Townes, and boroughes, & places be ſo diſcouraged and indammaged, that they be more liker to give over and withdraue themſelves from ſuch trade of merchandiſes then any further to uſe or exerciſe the ſame which is not onely the impoveriſhing of the ſaid Merchants, occupiers and dwellers, but alſo the utter decay of the ſayd borough townes and places, unleſſe that ſome convenient remedie therein be provided: Wherefore be it enacted, ordeyned, and eſtabliſhed by authoritie of this preſent Parliament, That it ſhall be lawfull and iuſtifiable; to and for every of the Kings ſubjects within this land going in companie with any Sheriffe or Senefchall of anie countie a fore named to proſtrate and break, and cauſe to be proſtrated and broken from time to time. all and everie ſuch Weeres, purpreſſures engines, ſtreytes, and other like obſtacle, made, or hereafter to bee made in any of the ſaid rivers or waters. And alſo a convenient gapp or place where that Boates, Scoutes Wherries Claraus Cotters, and other veſſels may paſſe and repaſſe in of upon and thorough everie mill pound, made, or hereafter to bee made in anie of the ſaid rivers and waters. And if any perſon or perſons doe reſiſt or make anie defence, in or for the proſtrating and breaking, or cauſing to be proſtrated and broken of the ſaid Weeres, purpreſſures, engines, ſtreites and other like obſtacles and myll-pondes in manner and forme as is aforeſaid: that then every ſuch perſon and perſons ſo making reſiſtance or defence for every ſuch time ſhall forfeit five pound, the one moiſtie thereof to the Kings highneſſe, his heires and ſucceſſours and the other moiſtie thereof to the partie that will ſue for the ſame in any the Kings courts by action of debt, bill plaint, information or otherwiſe, wherein no eſſoine, protection, ne wager of law ſhall be admitted or allowed. And further be it enacted by authoritie aforeſaid, That the Sheriffe of any Countie, and the Senefchall of anie Libertie for the time being, wherein any ſuch Weeres, purpreſſures, engines, ſtreytes, and other

Enacting
parte.

any one in
the preſence
of Sheriffe
or Senefchall
may pro-
ſtrate the
Weeres.

and leſſe
convenient
paſſage for
Boats.

the penalty
for them
that reſiſt.

The penal-
ty on the Sher-
riff or Sher-
riffs that
shall refuse
to prostrate
the purpresture,

The penal-
ty for refu-
sing to aid
the Sheriff.

For duties
or Customs
to be taken
of Boats &c

like obstacles in any of the said rivers and waters is made or hereafter shall be made, or where there is or shall be any mill-pond, whereof there is or shall be no gapp, as is aforesaid after knowledge thereof had by report, complaint, enquiry, or otherwise, shall from time to time calling and taking with him, if he be Sheriff the power of the County. And if he be Seneschal, the power of the Liberty, go in proper person to every such place whereas any were purpresture, engine, streit or other like obstacle in any of the said rivers and waters, is, or shall be made, or where there is or shall be any mill-pond, whereof there is or shall be any gapp broken, as is aforesaid. And the same prostrate and break, or cause to be prostrated and broken in maner and form as is aforesaid, upon pain to every such Sheriff and Seneschal as often as he or they shall so offend or refuse to prostrate and break, or cause to be prostrated and broken any of the said waters, purprestures, engines, streits, and other like obstacles and gaps in any such mill-pond of tenn pound, the one half thereof to the Kings Highness, his Heirs and Successours, and the other half to the party that will sue for the same in any of the Kings Courts by action of debt, bill, plaint, information or otherwise, wherein no essoin, protection, ne wager of Law shall be admitted or allowed. And if any person or persons dwelling or demurrant within any such County do refuse and will not go in aid of the Sheriff of the same County: and if any person or persons dwelling or demurrant within any such liberty, do refuse and will not go in aid of the Seneschal of the same for the prostrating and breaking or causing to be prostrated and broken of any of the said mill-ponds, waters, engines, purprestures, Streits, and other like obstacles, made or to be made in any of the said rivers or waters in manner & forme as is aforesaid, being lawfully summoned and warned for the same, for every such time shall forfeit ten shillings, the one half thereof to the King his Heirs and Successours, and the other half to any such Sheriff or Seneschal that will sue for the same in any the Kings Courts by action of Debt, Bill, Plaint, Information, or otherwise, wherein no essoine, Protection, ne Wager of Law shall be admitted or allowed. Be it farther enacted by authority aforesaid, that no person ne persons bodies politique ne corporate within this Land, by him or themselves, his or their Constables, fermours, officers, or Servants, shall take, levy, distrain, or receive or suffer, permit or cause to be taken, levied, distrained or received no customs, or for any customs called bank fees, ne any other duty, rent, or custom of any Boat, Scout, Wherry, Claraue, cott, or any other vessel whatsoever it be, passing or repassing in or through any the said rivers or waters, or any parcel of them, or of any boat or other vessel wherein any person or persons do fish in any of the said rivers or waters, so far as the salt water doth ebb and flow, in any of the said rivers, or of the owners of any goods, merchandises, victual or stuff, then being in any such Boat, Scout, Wherry, claraue or cott and other vessels as is aforesaid, or of any the Mariners, Boatmen, and other rulers and conveyers of the said Boats, Scouts, wheries, claraues, cotts, and other vessels, but that they and every of them shall peaceably suffer and permit the said boates, scoutes wheries, claraus, cotts, and other vessels as is afore specified with all the goods merchandises, victuals fish, and stuffe comprised and being in the same, and the owners of the said goods, merchandises, victualles, fish and other stuffe, and their servants. And the Marryners, boatemen and other rulers and conveyers

beyers of the ſaid boates, ſcoutes, wheirres, claraus, cottess, and
 other veſſelles in upon and through every the ſaid rivers and everie
 parcell of them and the land adjoyning to the ſame, and that the ſaid
 owners, their ſervants, Harryners, boatemmen and other rulers and
 conveyers, and all other perſons coming in ayd and help of them
 and every of them at all ſuch times as the ſaid Harryners, boate-
 men and other rulers and conveyers ſhall thinke the ſame neceſſarie
 and needfull, ſhall have and occupie at every of their wills and plea-
 ſures, the ſpace and breadth of ſeven foote or more, as need require
 of plain ground upon every part of the land, of every ſide of every
 the ſaid Rivers and waters next adjoyning to the ſaid Rivers and
 waters, and that to bee where they muſt needs draw the ſaid boats
 and other veſſells afore named with ſtrength of horſes or men by land
 unleſſe that at the making of this preſent Act there bee a caſtel, forteſſe,
 orchard, or garden upon any ſuch land ſo adjoyning to the ſaid Rivers
 of everie ſide of the water, ſo far & as long as the ſaid Rivers or waters
 doe runn or have their concourſe for the drawing, taking, loading
 and conveying of the ſaid boates, ſcoutes, wheirries, claraus, cottess,
 and other veſſells, and everie of them without any impediment, let,
 variation diſturbance or unquietneſſe of any the poſſeſſioners or in-
 heritors of the ſaid Lands or any part of them, or any perſon or per-
 ſons bodies politique or corporate, upon pain of forfeiture to every
 perſon and perſons, bodies politique and corporate offending in the
 premiſſes or any parcel thereof: as often as he or they ſhall ſo offend
 treble the valour of that thing that they or any of them do take to be
 forfeit and given to the party grieved, And over that ten pounds,
 the one half thereof to the King his Heirs, ſucceſſors and Aſſigns, and
 the other half to the party that will ſue for the ſame, in any the Kings
 Courts, by action of debt, bill, plaint, information or otherwiſe, where-
 in no eſſoin, protection ne wager of Law, ſhall be admitted or allow-
 ed. And alſo conſidering the truſt and confidence that the owners of any
 wines, doe put in the ſaid Harryners, boatemmen, rulers and conveyers
 of the ſaid boates, ſcoutes, wheirries, claraus, cottess, and other veſſelles
 whatſoever they bee for the true conveyance and cuſtodie of the ſaid
 wines, the deceit and craftie handling of the ſaid Harryners, boate-
 men, rulers, and conveyers of the ſaid boates, ſcoutes, wheirries, cla-
 raus cottess, and other veſſelles, and the loſſes, and damages that hath
 and may hereafter enſue to the owners of anie ſuch wines. Bee it en-
 acted by authority aforeſaid, that if any Harryner, boatman, ruler or
 conveyer of any the ſaid boates, ſcoutes, wheirries, claraus, cottess and
 other veſſelles have the carrying, freight or conveying of any wines
 goods or other merchandiſes in any boat, ſcout, wherry, clarau,
 cotte, or other veſſell in or through the ſaid Rivers or waters or any
 parcell of them or if any perſon or perſons take upon him or them the
 carrying or conveying of any wine, goods or other merchandiſes by
 land in Cart Wayn or otherwiſe and doe drawe, drinke take or will-
 fully periſh any caſke or parcel of any ſuch wines, goods or mer-
 chandiſes to them or any of them to bee delibered at any time here-
 after to bee conveyd, carried, or transported in the ſaid Rivers
 or waters, or in any parcell of them or to any place or quarter,
 of this dominion, by land, in maner and forme as is aforeſaid, ſhall
 forfeit and loſe to the owner and owners of the ſaid wines, goods
 or merchandiſes as often as hee or they ſhall offend the ſame, as much
 money as he or they ſhould have for the freight conveying and carriage
 of all wines, goods and merchandiſes to him or them at that time de-

that the mer-
 riners and
 boatmen
 ſhall have
 the breadth
 of ſeven foot
 on each ſide
 of the River.

againſt
 drawing or
 drinking of
 wines by
 thoſe that
 take upon
 them the
 carriage
 thereof.

the rates of
carrying
Merchandise
on the
river.

libered or appointed to be conveyed or carried either by any of the said rivers or waters or to any other place by land, and the treble value of that thing or things that he or they doe take draw drinke or wilfully perishe or cause to bee taken, drawen dronken or wilfully perished of the said wines, goods or merchandises, and over that to forfeit five pound the one moztie thereof to our Sovereign Lord the King, his heires and successors, and the other moztie to the partie that will sue for the same, in any the Kings courts by action of debt, bill, plaint, information or otherwise, wherein no essoine, protection ne wager of law shall be admitted or allowed. And further bee it enacted by authoritie aforesaid that none of the said Haryners, or boatemmen, or other persons afoze named, shall take or receive, or cause to bee taken, or received any summes of money or any other thing for the freight, carriage, or conveying of any stuff or Merchandise whatsoever they bee other then such like as is comprised in the extant thereof made, remayning in the custodie of the Shyriffe of the Countie of Typperarie and in other places where such summes as they should have, is not mentioned or limitted in the said extant, that then they and every of them doe take no more wages ne summes of money but such like summes of money and wages as they and every of them in time passed have been most commonly used and accustomed to take or receive for the freight, conveying, transporting, and carriage of any such stuff, goods or merchandises upon pain to the taker as often as hee shall offend in the same, thirteen shillings four pence, the one halfe thereof to our Sovereign Lord the King, his heires and successors and the other halfe to the partie that will sue for the same in any of the Kings courts, or before the Kings Commissioners, by action of debt, bill, plaint, information or otherwise, wherein no essoin, protection ne wager of law shall bee admitted or allowed.

CAP. XXIII.

The Act for the parsonage of Dongarvane. Rot. Parl. cap. 38.

the Parsonage of
Dungarbane
given to the
Crown.

FOrasmuch as the parsonage and Church of Dongarvane, and also the parsonages and Churches of Kennegenagh, Kinsalbegge Arglas, Glassemore Amane, Whitchurch, Templeavien, Abieghylronane, Rossemore Lysgenane, together, with the patronages, advowsons, and gifts of the vicarages of the said Churches and all other Churches and Chappelles, Advowsons, and Patronages and all lands tenements, dimes, oblations, profits, emoluments and commodities, to the said Parsonages, Churches Advowsons, and Patronages belonging, which were united, annexed and appropriated to the house or Monasterie of Kentwame in England, and that the Abbot of the said house or Monasterie for the time being, was rightfully patron of the Vicarages of the said Churches, and the same long time after the union and appropriation thereof to the said house or Monasterie peaceably did possesse and enjoy without any interruption or let of any person or persons, unto such time as in the rebellion of the late Charles of Desmond, the said Charles presented certain persons to the same Churches which by reason and force thereof without any colour of right or title extorciously took the profits of the same. And albeit that the Abbots of the said house for the time being pursued here within this land, for the recoderie thereof, yet neither the said Charles ne the said persons by them presented, would in no wise answer to the Kings precepts or commaundements to them directed for the said Abbottes demaunds and pursutes, and for that the said Parsonages of the said Churches and the Patronages of the Vicarages of the same, was united and appro-

appropriated to the said house or Monastery at the time of such presentation by the said Charles usurped, and that the said presentations was in time of warr, and in the rebellion of the said Earle of Desmond, and for that also that presentations made to any Parsonages and Churches to being appropriated and united to any Abbeye or Monasterie, albeit such presentee be thereto admitted and take thereof the profits, is but onely spoliation and giveth no interest or title in the presentor, ne putteth the Abbeye or Monasterie out of possession of such Churches, wherefore by the due course of the Law, the said Charles could winn no manner rightfull title or possession to the said Churches, ne with any of them. In consideration whereof and forasmuch as at a Parliament holden at Dublin the first day of May in the eight and twenty year of the reign of our most dread soveraign Lord King Henry the eight, amongst other things, it was enacted, ordeyned and established by authoritie of the same Parliament that the Kings highnesse his heires and successors should have, possesse and enjoy as knitt and united to his and their Imperiall Crowne of England all and everie the mannours, mesuages, tenements, and all other hereditaments, patronages, parsonages, vicarages, chappels, tythes, oblations, alterages, rights titles and possessions, with all other profittes, as well spirituall as temporall whereof the Abbot then being of the said house or monasterie, or any other to his use, as in right of the said house or monasterie, had possessed or enjoyed, or of right ought to have had, possessed or enjoyed, by which the Kings highnesse, his heires & successors were justly entituled to the same. And for that also that the judgements and determination of such as bee unlearned, who suppose that not onely the said persons to whom anie such presentations by the said Charles was made, but also the said Charles by such presentations considering the continuall possession and taking the profittes of the said Churches by the incumbents by the said Charles presented, by so long time, should be thereby to the possession thereof lawfully entituled, albeit the cleare determination of the law is and alway hath been otherwise, and to the contrarie, for the expelling of which said doubts and clear determination of the premises from henceforth to be had: be it enacted, ordeyned and established, by authoritie of this present parliament, That every presentation made by any of the late Charles of Desmond, or any person or persons to the parsonages of the said Churches, and the vicarages of the same, or anie of them and every admission, institution and induction of them & every of them to the said Churches, Parsonages, and Vicarages, or anie of them, to be reputed and taken, frustrate and void and of none effect in law, and that by such presentation the said Charles ne any of them to win any interest or possession in the premises and that by authoritie aforesaid, the Kings highnesse his heires and successors shall have, possesse and enjoy as knit, annexed, and united to this and their imperiall Crowne of England, the said parsonages of Dongarbane, and other parsonages aforesaid and churches and also all and singular patronages, presentations and advowsons of every the said vicarages and churches, together with all the manours, mesuages, lands, tenements tythes, portions, pensions, oblations, alterages, profittes, commodities, emoluments, and all other hereditaments, as well spirituall as temporall with all and singular their appurtenances belonging, attayning, or in any wise apperteyning to the said parsonages or churches or any of them, any presentation or presentations heretofore made by anie the said Charles of Desmond or any other person or persons, or anie admission, institution, or induction, of them or any of them, to any of the

laid parsonages, churches, or vicarages in any, wile notwithstanding. Provided that this act ne any thing therein contained shall not in any wise be hurtfull or prejudiciall to Sir Matthew Connell vicar of Dun- garbane, or any other vicar perpetual, in any of the said churches but that they & every of them shall have & enjoy their vicarages, during their natural lives, any thing in this act to the contrary notwithstanding.

C A P. XXIV.

The Act for Leazers of Corn. Rot. Pari. ca. 40.

Ir. St. 25 H.
8. cap. 7.
Against lea-
zers of Corn
in Harbest
time whilset
the Corn
shall be
therein

PRayeth the Commons in this present Parliament assembled, that whereas leazing of Corn in Harbest season is a great cause of idleness, dearth of reaping of Corn, and stealing of the same, which before this time hath been remedied by authority of Parliament which took none effect, nor was put in execution, because the possessors and occupiers in the Countrey do not endeavour themselves thereunto. Therefore be it enacted from henceforth every person and persons, which hereafter shall lease in the harbest time in any field or fields within this Land as long as the Corn shall be there in reack, or otherwise, shall not onely loose all the Corn that they or any of them shall lease to any person or persons that will take or seile the same, but also shall forfeit for every time that they shall so lease, twelve pence, which forfeiture shall be to the Lord of the soyl, & to be presented and enquired of in the said Lords Court, and if he have no Court, then the said forfeiture to be to the King our Sovereign Lord: and all his Justices in every of his Courts to enquire thereof in like form and sort as they do all other estates penal, and to see the same duely punished and put in execution. And farther be it enacted by the authority aforesaid, that every occupier or occupiers of such fields, wherein any Corn shall be, which willingly shall permit or suffer any such person or persons to lease contrary to the form aforesaid, shall forfeit to our Sovereign Lord the King for every time so offending twelve pence, of which offences every of the Kings Justices shall enquire and execute in manner and form aforesaid. And farther be it enacted by authority aforesaid, that every person and persons, inhabiting within this Land, which in the harbest season, receive or keep in his or their houses, or habitations, any person or persons called ymnakes which shall so lease contrary to the form of this act, shall forfeit for every such ymnake six shillings eight pence, which forfeiture shall be to the Lord of the soil, if it be enquired or presented in his Court or Leet, and in negligence or default thereof to be enquired and presented in the Kings Court in manner aforesaid. And farther be it enacted, that every person and persons which be not able to keep their Children to School at the age of ten years, shall put them to handicrafts or husbandry, upon pain of six shillings eight pence, to be forfeit in manner aforesaid, & to be inquired of in manner and form aforesaid. Provided that this act ne any thing or things therein contained, shall extend or be meant to any owner or owners of Corn, but that they and every of them, may lease by themselves or servants their own Corn: any thing in this Act mentioned to the contrary notwithstanding.

C A P. XXV.

The Act of Leases. Rotul. Parliament, Cap. 33.

For Con-
firming
Leases
made by the
King.

VWhereas the King our Sovereign Lords highness hath been of late informed that divers of his Dominions, Lands and possessions within this his Land of Ireland, as well of his highness old inheritance, as also of those which of late been come to his highness by reason of Monasteries suppressed, attainder of traitors, or otherwise by reason of any act or acts of Parliament within this his Land of Ire-

against ym-
nakes

Such as are
not able to
to keep
their chil-
dren to
School, shall
at ten years
of age put
them to
trade

for t

Ireland, made or confirmed, do lie wast and unoccupied. For reformation whereof, our said Sovereign Lord the King, considering that the manurance thereof should not alonly be to his highness his profit and honour, but also a great encrease and maintenance of the Common-wealth, hath deputed and assigned Anthony Senteleger, George Poulet, Thomas Hoyle, William Crevers, William Brazon, Gerald Aylmer, and John Allen his commissioners to view and surbey aswell his said wast Lands, as also all other his Lands and possessions in the same his said Land, and by his highness his commission signed with his Graces hand, and sealed with his Pryby Seal, hath authorisid them, that they or any two of them, not onely to demise and let the said Lands and possessions, aswel wast as occupied, and every or any part of them, for the term of twenty and one years, reserving to his highness the rents thereof to be reserved, but also to direct their Warrant to the Chancellours of this his said Land for the sealing of such leases, as they or two of them shall make or grant of the premises, or any part of them, as by the said commission dated at Sonning hill the Last day of July in the xxix. year of our Sovereign Lords most noble reign more plainly it appeareth. And for somuch as it appeareth by the said commission, that his Graces pleasure is, that the said Commissioners shall make leases of the same, and that it is a thing consonant to his highness, his honour and also profit that such Leases to be made should be good and available to such persons as shall take the same, and that also such as shall be occupiers, perceibing that the same leases so to be made by the said Commissioners, or two of them in our said Sovereign Lords name, shall be good and available to the Lessee or Lessees, so that they shall and may lawfully enioy and occupy the said Lands or possessions, so by them to be taken during the said term, according to the tenor of their Leases, will the more gladly endeavour them to have and take such lands of the said Commissioners. Be it therefore enacted by authority of this present Parliament That all and every Lease, and Leases made, or hereafter to be made by the said Commissioners, or any two of them, in our said Sovereign Lord the Kings name, of any the honours, manors, lands, tenements, or other possessions, being the Kings old inheritances, or of any such lands tenements as did appertain to any Monasteries, Abbeys, Religious houses, scites of Monasteries or Abbeys Mills, Tyths, oblations, alterages and other commodities and profits withal their appurtenances or of any part of them, which by reason of the suppression of such Abbeys, Religious houses, or Monasteries, or any of them, now being in his Graces hands or possessions or any of those Lands, Tenements, Possessions and Profits, which become to his Highness, by reason of attainder of any person or persons by any Act of Parliament or otherwise, and also which were late given to his Highness by reason of any Act or Acts of Parliament, made enacted or confirmed within this Land of Ireland or any other his Graces revenues to any person or persons, according to the purport, tenor and effect of the said Commission shall be good, effectual and available to such person, and persons as is aforesaid, to whom such Lease or Leases shall be made, and to their assigns, for and during the term mentioned and contained in the same Lease. so that the said person or persons, and every of them to whom such Lease, or Leases of any of the premises, shall be by the said Commissioners, or two of them, made or granted in our said Sovereign Lords name as is aforesaid, and his and their Assigns, shall and may occupy, possess and enioy the same for the term mentioned, in the said Lease or Leases, according to the

Commissioners to view
the Kings
waste

Leases made
by the Com-
missioners
made good

The no
Office be
found or re-
turned

covenants and conditions mentioned and expressed in such lease to be made in such forme, as if the said Leases had been made and graunted by the Kings highnesse, or as if the same had been settled by the Chauncelloz of this land for the time by vertue of immediate warrant to him directed by the Kings highnesse, and signed by his Graces hand, albeit there be no Office, ne Inquisition of the premises taken ne returned in the Kings Chauncery of this land, ne into the Kings Exchequer of the same, any act, ordinance, or statute made and ordeyned within this land of Ireland, or within the Realme of England, and ratified and confirmed within this land to the contrary notwithstanding. And further bee it ordeyned and established by authoritie aforesaid that all and every warrant signed with the hands of the said Commissioners, or two of them directed to the Chauncelloz or keeper of the great Seal, for the making out and sealing of such Leases shall bee good and sufficient discharge and warrant to the said Chauncelloz or keeper of the great Seal, for the making and sealing of the same, in like sort & forme as though such warrant had bene signed with the hand of the Kings highnesse: any act or actes, statute, ordinance, provision, use or custome, made, ordeyned, declared, or used to the contrary notwithstanding. Provided alway that this act or any thing or things therein comprised shall not in any wise extend to any gifts or graunts made by the Kings highnesse not repealed in this Parliament, to any person or persons before the making of this act neither to any Lessee or Lessees afore the tenth day of December in the xxix. year of our Soberain Lord King Henry the eight, made and graunted unto any person or persons under the Exchequer seal, but that such gift, graunt, Lease and leases shall be in the same strength and effect in the law, as the same and every of them were the day of the making of this act any thing in this act to the contrary notwithstanding. And be it further enacted by authoritie aforesaid, that every grant or grants made or to be made under the Kings great Seal of this land by force of any warrant signed with the said Commissioners hands, or any two of them, so the said William Brabazon be one, of any ward of body or land, although it bee under the Telle of the said Deputie shall bee reputed and deemed in the Law of like effect and force as if the same warrant had been or were signed with the Kings owne hand, and immediatly directed to the Chauncelloz or keeper of the great Seal of this land, any thing in this act, or any other act or actes to the contrary notwithstanding.

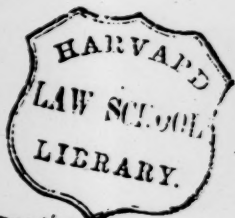
C A p. x x v I.

An Act for the First fruites of Abbeyes, Priories, and Colledges.

The first
fruites of
Colledges
&c. granted
to the B. Ir
St. 28. h. 8.
cap. 8.

Payeth the Commons in this present Parliament assembled that where in a Parliament holden at Dublin within this land the first day of May in the xxviii. year of the reign of our most dread Soberain Lord King Henry the eight, amongst other was ordeyned enacted and established that the Kings highnesse his heyres and successors Kings of the Realm of England, and Lords of this land and dominion of Ireland should have and enioy to endure for ever, of every such person or persons which at any time hereafter the said first day of May should be nominated, elected, prefected, presented, or collated or by any other meanes appointed to have any Archbishopricke, Bishopricke Archdeaconry, Deanry, Prebend, Parsonage, or Vicarage within the said land or dominion of Ireland of what name, nature or qualitie soever they be or to whose foundation, patronage or gift soever they belong the Annate commonly called within this land the Anne first fruits that is to say the revenues & profit for one whole year of every such Archbishopricke Bishopricke, Archdeaconry, Deanry, Prebend, Parsonage & Vicarage afore named,

named, wherunto any ſuch perſon or perſons ſhall at any time or times after the ſaid firſt day of May nominated, elected, preferred, preſented, collated, or by any other meanes appointed as in the ſaid Act more at large is conteyned, And conſidering that for the better augmentation of the Kings revenues within this land whoſe Majeſtie like a moſt gracious Prince and Sovereigne Lord hath with the expence of an unportable ſumme of his owne treaſure, defended vs from the ravine and ſpoyle of ſuch rebels and traitors as lately attempted the utter deſtruction of the ſtate of this land: And well perceiving a gratuitie again in us to bee our ſhield againſt all like attemptes, that it is both reaſonable, meet and convenient that his moſt excellent Majeſtie his heyres and ſucceſſors ſhould have and enjoy from time to time to endure for ever the firſt fruits revenues, and profits for one year of every Abbey, Monaſterie, Priorie, Colledge, and Hoſpitall, and of the Priorie or Hoſpitall of Saint John the Baptiſt of Jeruſalem in Ireland, & the commaundees of the ſame Religion, as well as of the ſaid Archbiſhoprick, Biſhoprick, Archdeaconries, Deanries, Prebends, Parſonages, & Vicarages: And much more the rather, ſeeing that the ſaid Abbathies, Abbeyes, Monaſteries, Colledges and Hoſpitalls, and the ſaid Priorie or Hoſpitall of Saint Johns, and the Commaundees of the ſame may better or as well ſatiſſie, content and pay the ſaid firſt fruites, revenues and profits for one year, as the other perſons bound by the ſaid ſtatutes. Be it therefore ordeyned, enacted and eſtabliſhed by authoritie of this preſent Parliament, That the King our Sovereign Lord his heyres and ſucceſſors Kings of the ſaid Realm of England, and Lords of this land and dominion of Ireland, ſhall have and enjoy from time to time to endure for ever of every ſuch perſon and perſons which at any time hereafter the firſt day of this preſent Parliament holden at Dublin upon prorogation ſhall be nominated, elected, preferred, preſented collated or by any other meanes appointed to have any Abbey, Priorie, Colledge, Hoſpitall, the Priorie or Hoſpitall of Saint John the Baptiſt, of Jeruſalem of Ireland, or any commaundee of the ſame religion, within this land and dominion of Ireland, of what name, nature, or quality ſoever they be, or to whoſe foundation, patronage, or gift ſoever they belong the Annat, commonly called within this land the Anne firſt fruits, that is to ſay, the revenues and profits for one whole year of every ſuch Abbey, Priorie, Colledge, Hoſpitall, the Priorie or Hoſpitall of Saint John Baptiſt of Jeruſalem in Ireland, and of everie the commaundees afore named, wherunto ſuch perſon or perſons ſhall at any time or times after the ſaid firſt day of prorogation of this preſent Parliament be nominated, elected, preferred, preſented, collated, or by any other meanes appointed. And that every ſuch perſon and perſons before any actuall or reall poſſeſſion or meddling with the profits of any ſuch Abbey, Priorie, Colledge, Hoſpitall, the Priorie or Hoſpitall of Saint John the Baptiſt of Jeruſalem, or any commaundee, ſhall ſatiſſie content and pay, compound or agree to pay to the Kings uſe at reaſonable dayes upon good ſuerties the ſaid annat or one firſt fruits and profits for one whole year. Be it alſo enacted by authoritie aforeſaid, That the Chauncelloꝝ of Ireland, the under Theſaurer, and Clerke or Maſter of the Rolls of this land for the time being, or any two of them ſo the ſaid under Theſaurer be one of the ſaid two, or ſuch other perſon or perſons as ſhall pleaſe the Kings highneſſe his heyres or ſucceſſors from time to time, at his or their pleaſure to name & depute by commiſſion or commiſſions under the great ſeal, ſhall have power & authoritie as well to examine and ſearch for the juſt & true value of the



Enacting
part.

the Annat
or firſt fruits
of all Col-
ledges Hoſ-
pitalls ac-
cording to
the King.

at reaſona-
ble dayes
upon good
ſuerties.

both and by
whom the
valuation
ſhall be
made.

the bonds
and money
to remain
with the
under trea-
surer or in
the Chan-
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when they
shall ac-
count.

others de-
puted by the
King may
receive it.

what acquit-
tances shall
be good.

what fees
shall be for
them.

said Annat first fruits and profits by all wayes and meanes that they can, as to compound and agree for the rate of the said Annat, first fruits and profits, and to stablish, appoint & limit reasonable dayes for the payment thereof upon good and sufficient suerties or suerty, by writings obligatorie at their discretions, and if composition or agreement be had or made for the said annat first fruites and profits before the said Lord Chauncelloz the Underthesaurer, and the Master of the Rolles for the time being, or any two of them, so that the said Underthesaurer be one of the two, that then the writings obligatorie, and money taken for the same shall rest remaine and abide in the hands of the Underthesaurer for the time being or in the Chanaper of the Kings Chauncerie in Ireland there safely to bee kept to the Kings use: And the money to bee due of such writings obligatorie, or to bee received in hand by reason of any such composition shall be payed to the said Underthesaurer, or in the said Chanaper to the Clerke of the Chanaper for the time being, And that the said Underthesaurer for such writings obligatorie and money as cometh to his hands, or ought to come to his hands shall make a true and iust accompt thereof at such times, and after such sort as hee shall account for the rest of the Kings highnes revenues. And that also the said Clerke of the Chanaper for such writings and money as he receiveth, or ought to receive, shall make a just and true accompt thereof, like as he is bound to doe of the money received of the profits of the Kings great Seale. And if composition or agreement bee had or made for the said annat first fruites and profits afore any other person or persons to be deputed by the Kings highnesse his heires or successors by Commission under his great Seal, that then the writings obligatorie and money taken for the same shall bee delibered unto the said Underthesaurer or elsewhere, to whom it pleaseth the Kings highnesse his heires and successors to give authoritie by commission under his great Seal to receive the same. And it is enacted also by authoritie afore-said, That every writing of acquittance, subscribed with the hand and name of the Underthesaurer, Clerk of the Chanaper, or other Commissioners afore-said or any of them witnessing the receiptes of the said annates, first fruites and profits, or any part thereof, And all writings obligatorie to bee taken for the payments of the said annats annue, first fruites and profits by and afore the said Lord Chauncelloz, under Thesaurer and Master of the Rolles or any two of them, or by or before any other person or persons to bee deputed to compound and agree for the said annates annue first fruites and profits shall be of the same strength, force, vertue, qualitie and effect to all intents and purposes within this land, as all such writings and acquittances and writings obligatorie subscribed and taken by and before any person or persons as be limited and appointed by the act made at Westmynster within the Realm of England the third day of November in the xxvi. yere of the Reign of our most dread Soberaign Lord King Henry the eight be within the said Realm of England and upon certificate hereafter to be made in the Kings Chauncerie of this land for any such writing obligatorie to be taken for the payment of any such annate first fruites and profits, like proces and execution shall bee thereupon made and had against any person spirituall or tempozall as have been accustomed to bee made aganst any lay person upon certificate or writnigs obligatorie of the Statute of the Staple. And that no persons shall be compelled to pay for any writing obligatorie to be made for the payment of the said first fruites above viii. d. nor for any acquittance to be made for any receipt of such first fruites above iii. d. And such person or persons as shall

be deputed by the Kings highnesse by commission under the great seal of England or of this land, to compound and agree for the said first fruits shall at the end of everie sixe months next after the date of their commission, and so from sixe moneths to sixe moneths deliver or cause to be delivered unto the under Tresaurer of this land for the time being or elsewhere to such commissioners as shall be appointed as is aforesaid, to receive the same aswel all such money as all such specialties and bonds as they shall have taken for the payment of the said first fruits by Indenture to be made betweene them and the said under Tresaurer or other commissioners as is aforesaid, concerning the certaintie and number of the summes of money of the specialties and bonds by them taken and received: And if any person or persons to whom any deputation shall be made by commission to compound and agree for the payment of the said first fruits their heires, executors, or administrators conceal or imbezil any of the said specialties and bonds taken for the payment of the said first fruits, and doe not deliver them according to the tenor of this Act, that they and every such offendour shall forfeit that office of deputation, and ober that their bodies and goods to be wholly for every such offence at the Kings will and pleasure. And be it likewise enacted by authoritie aforesaid: That all and every article, provision and thing whatsover they be enacted and comprised in and within an Act, made and established at a Parliament holden upon a prorogation at Westminster within the realm of England the third day of November in the xxvi. year of the reign of our most dread Soberaign Lord King Henry the eight for the suertie and payment of the first fruits, revenues, and profits in the Realm of England, and search for the due knowledge of the yearly revenue of the said Abbeyes & other aforesaid and every other thing materiall comprised in the Act, be in the same force, strength, vertue, quality & effect, to all intents & purposes within this land as they and every of them be within the same Realm of England.

to whom and to whom the persons deputed shall deliver their specialties or money.

the penalty if they conceal or imbezil them.

Eng. St. 26 h. 8. cap. 3. made of force in Ireland.

Statut' Ordinationes Actus & provisiones in quodam Parlamento illustrissimi principis & domini nostri, domini HENRICI octavi dei gratia Anglie, Francie, & Hibernie, Regis fidei defensoris ac in terra ecclesie Anglicanie & Hibernie supremi capituli, virtute commission' & mandat' dicti domini Regis, sub magno sigillo suo Anglie apud Dublin die Lunæ proximæ, post festum sanctæ Trinitatis, videlicet XIII. die Junii, anno regni dicti domini Regis tricesimo tertio, coram dilecto & fideli suo Antonio Sentleger militi vno generotorum privatæ cameræ dicti domini Regis deputat' ejusdem domini Regis regni sui Hibernie, tenet' edict', & ibidem continuat' vsque ad diem Mercurii, in festo sanctæ Margaritæ, videlicet vicesimum diem Iulii tunc prox' sequent', & ibidem prorogat' vsque ad diem Lunæ prox. post festum omnium sanctorum videlicet septimum diem Novembris, tunc prox. futur. & ibidem prorogat. abinde eodem die vsque ad diem Iovis, viz. vicesimum secundum diem Decembris tunc prox. futurum ad Dublin præd. prorogat' & ibidem eodem vicesimo secundo die Decembris vsque ad decimum quintum diem Febr. tunc prox. sequent. apud Limericum adiornat. & ibidem continuat. vsque septimum diem Mercurii tunc prox. seq. & ibid. vsq. diem Lunæ proxim. post festum sancti Barnardæ Apostoli, viz. duodecimum diem Junii, tunc prox. sequent. vsq. villam de Trym adiornat. & ibidem vsque XXI. diem Junii, præd' continuat. & abinde vsq. ad diem Lunæ prox. post festum omnium sanctorum, viz. vi. diem Novembris tunc prox. futur. ad Civitatem Dublin adiornat. & ibid' vsq. ad decimum octavum diem ejusdem mensis Novemb. continuat. & ibid. eodem die prorogat. vsq. ad decimum septimum diem Aprilis tunc prox. sequent', viz. diem Martis prox. ante festum sancti Gregorii martyris tunc prox. sequent. vsq. civitatem Dublin, & ibidem vsq. ad secundum diem mensis Maii, tunc prox. sequent. continuat. & ibid. eodem die prorogat. vsq. ad sextum diem mensis Novemb. tunc prox. sequent. vsq. ad civitatem Dublin, & ibidem vsque ad XIX. diem ejusdem mensis Novembris continuat. & dict. decimo nono die ibidem finit. & dissolut. ædit. in hæc verba. Anno dom. 1542.

C A p. I.

An Act that the King and his successours, to be Kings of Ireland.

the King
and his suc-
cessours to
be Kings of
Ireland.

that the
King of
England
shall be
Kings of
Ireland.

and shall
have the ti-
tle Prezo-
garbe and
Majesty of
King Impe-
riall
assumed to
the Crown.

high treason
to disturb or
interrupt
the King in
his title of
Crown.

Forasmuch as the King our most gracious dread Sovereign Lord, and his Graces most noble progenitors Kings of England, have bin Lords of this land of Ireland, having all manner Kingly jurisdiction power preeminences and authoritie royall belonging or appertayning to the royall estate and Majestie of a King, by the name of Lord of Ireland where the Kings Majestie, and his most noble progenitors, justly and rightfully were and of right ought to be Kings of Ireland and so to be reputed taken named and called and for lack of nameing the Kings Majestie and his noble progenitors Kings of Ireland, according to their said true and just title, stile & name therein hath been great occasion that the Irish men & inhabitants within this Realm of Ireland, have not been so obedient to the Kings highnesse & his most noble progenitors and to their lawes as they of right and according to their allegiance and bounden duties ought to have been. Wherefore at the humble pursuit petition and request of the Lords spirituall and temporall and other the Kings loving, faithfull and obedient Subjects of this his land of Ireland, and by their full assents. Be it enacted, ordeyned and established by authoritie of this present Parliament, That the Kings highnes his heyres and successours Kings of England, be alwayes Kings of this land of Ireland and that his Majestie, his heyres and successours have the name stile, title, and honour of King of this land of Ireland withall maner honours, preeminences, prerogatives, dignities and other things whatsoever they be to the estate and maiestie of a King imperiall appertayning or belonging, and that his Majestie, his heyres and successours be from henceforth named, called accepted, reputed and taken to be Kings of this land of Ireland, to have, hold and enjoy the said stile, title, Majestie and honours of King of Ireland, with all maner preeminences prerogative, dignities and all other the premisses, unto the Kings highnesse, his heyres & successours for ever assumed and knit to the Imperiall crown of the Realm of England. And be it further enacted by authoritie aforesaid, That on this side the first day of July next comming, Proclamation shall be made in all Shires within this land of Ireland, of the tenour and sentences of this Act. And if anie person or persons, of what estate, dignitie or condition soever, they or he be, subject or resistant within this land of Ireland after the said first day of July by writing or imprinting, or by any exterior act or deed maliciously procure or doe, or cause to be procured or done, any thing or things to the perill of the Kings Majesties most royall person or maliciously give occasion by writing, deed, print, or act, whereby the Kings Majestie, his heyres or successours or any of them might be disturbed or interrupted of the Crown of this Realm of Ireland, or of the name, stile or title thereof, or by writing, deed, print or act procure or doe, or cause to be procured or done any thing or things to the prejudice, slander, disturbance, or derogation of the Kings Majestie, his heyres or successours, in of or for the Crowne of this Realm of Ireland, or in, of or for the name, title or stile thereof, whereby his Majestie his heyres or successours or any of them might be disturbed or interrupted in body name stile, or title of inheritance of in or to the Crown of this land of Ireland, or of the name stile, title, or dignitie of the same, that then every such person and persons, of what estate, degree or condition they be subject or resistant within the said land of Ireland, and their aidours, counsailours, mainteyners, and abbettours therein and everie of them, for everie such offence, shall be adjudged high traytors, and everie such offence

offence shall be adjudged and deemed high treason, and the offendours their aydors, counsaillours, maintaynours, and abbettours therein, & every of them being lawfully convicted of any such offence by presentment, verdict, confession, or proofes, according to the customes and lawes of this said land of Ireland, shall suffer paines of death, as in cases of high treason, and also shall lose and forfeit unto the Kings highnesse and to his heyres Kings of this Realm of Ireland, all such his manors, landes, tenements, rentes, reversiones, annuities, & hereditaments which they had in possession as owner, and were sole seised in their owne right of by or in any title or meanes or in any other person or persons had to their use of any estate of inheritance at the day of any such treason and offences by them committed and done. And that also every such offendour shall lose and forfeit to the Kings highnesse, and to his said heyres as well all maner such estates of freehold, and interest for yeares of lands and rents, as all the goods, cattels and debts, which they or any of them had at the time of their conviction or attaindour of or for any such offence saving alway to every person and persons and bodies politique, their heyres, successours and assignes, and to every of them other then such persons as shall be so convicted or attained their heyres and successours and all other clayming to their use all such right, title, use, interest, possession, condition, rents, fees, offices, annuities, commons and profites, which they or any of them shall happen to have, in, to, or upon any such manors, lands, tenements, rents, reversiones, services, annuities and hereditaments, which so shall happen to be lost and forfeited by reason and occasion of any of the treasons or offences above rehearsed any time before the said treasons or offences committed or done.

CAP. II.

An Act for gray Merchants.

Forasmuch as divers Merchants and other persons coveting and practising greatly their owne singular commodities and profites, & having little or no respect to the wealth of this land, have of late used to goe from towne to towne within this land, being no market townes, to buy hydes, fells, checkers, fleges, varne, linnen, cloth, wooll and flocks, whereby the faires and markets within this land be greatly decayed, and the Kings custome diminished, and every kinde of merchandise without cause reasonable, brought to a great dearth, to the great hindrance and losse of the Kings Majestie, and of his faithfull and true subjects of the same land. Wherefore be it enacted, ordeyned and established by authoritie of this present Parliament, That no person ne persons to the intent to sell the same again, shall buy ne cause to be bought with in this land, any hydes, fells, checkers, fleges, varne, linnen, cloth, wooll, or flocks, in any other place or places, but only in the open Market or fayre. And if that any person or persons doe otherwise and be of the same duely convicted, that then every such person so convicted to be adjudged and deemed a foestaller of the Kings Market. Provided alway and be it enacted by authoritie aforesaid, that if any inconvenience, dammage, or hinderance doe, should, may grow or come by any meanes of this present Act, that then the Lord Deputie, the Lord Chancellor, the Lord Treasurer, the Vicetreasurer, the three chiefe Judges, and the Master of the Rolles of this land for the time being, or five of them at the least, whereof the Lord Deputie and Lord Chauncellour to be two of them examining the circumstance of the same, shall have authority and power by open proclamation to be made in any of the said Markets or fayres, to discharge, adnihilate and make voyde this present Act,

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Act or any
part thereof

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the Kings
Bench or
Justice of
peace at the
sessions
may punish
the offen-
ders

not to ex-
tend to
Tanners
or Barkers.

that the
plaintiff
may ab-
ridge his
pleint in an
Assise.

Consanguin-
ity or affi-
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nor princi-
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lenge.

Act of such part thereof as they shall thinke good. And this present Act from and after the said proclamation so to be had and made, or as much thereof as they shall thinke good as aforesaid, shall be cleerely and utterly voyde and of none effect. And also be it enacted by authoritie aforesaid, That the Justices of the Kings Bench, and every Justice of peace in open Sessions, shall have full power And authoritie by authoritie of this Act to enquire of and upon the offenders and offences against the contents and purport of this said Act and order, and to hear and determine the same, according to the lawes of this land, and to punish the said offenders, and to take like fines upon the same offenders, as though they were convicted of any forestalling of the Kings markets by the lawes of this land. Provided alwayes, that this Act shall endure but till the last day of the next Parliament to be holden within this Realm, or land, if it be not repealed, adnihilated or made voyde before, by Proclamation, as is abobe said. Provided alway, that this Act, ne any thing therein conteyned, shall extend to any Tanner, or Barker, within this Realm, for the buying of any hides to be Tanned or Barked, so that they doe tanne or barke the same. Provided also that this Act, ne any thing therein conteyned, shall not extend to binde or charge any of the inhabitants of any County, Citie, or Borough Towne, within this Realm or land, unto such time as the tenour of this said Act be Proclaimed in the same County, Citie or Borough Towne. revived. 11. El. cap. 5. and perpetuated.

C A p. III.

An Act that the plaintife may abridge his plaint in Assise.

FOrasmuch as assises, which have been thought the most speedie remedie, be now by occasion of pleading of many barres to moities and parts of the lands put in view and plaint, greatly delayed, for difficulties and division of pleading, & one causethereof is, because that the plaintifes in the assise in such ples to moities & parts cannot by the law abridge their plaints: For remedie whereof be it enacted, That the plaintife in every assise from henceforth may at his pleasure sever, & abridge his plaint of any part or parts whereunto any barre is pleaded, in such like maner as he or they might doe in case the ples in barre had been made, and divided to any certaintie or number of Acres, in the plaint, & that the plaint for the residue of the part or parts of the lands not abridged, shall be and stand good and effectuell in the law.

C A p. IV.

An Act that consanguinitie or affinitie being not within the fifth degree, shall be no principall challenge.

VWhereas the Kings obeyfant English subjects of this land, eyther by consanguinitie or affinitie, which is so universally spread betwixt them by reason that they are inhabited in so little a compasse or circuit and restrayned by estatute to Marrie with Irish nation, and therefore of necessity must marry themselves together so that in effect they all for the most part must be allyed together eyther by consanguinitie or affinity, at the least, within the 9 degree, & that by reason of the said causes, as well such as hath been demandants or plaintifes, as tenants or defendants in actions, suits, ples or matters, & also the Jurors in Enquests & trials upon the same empanelled, hath been greatly hindered, put to collis and delayed sometime by quassing of the array, other times by remainyng of the Jury by challenging of the array, or of the polles for the Sheriff, Under Sheriff, Coroner or Corners or other officer or officers, which returned or arrayed the same enquests, or his or their wives within the 9th degree. For remedie whereof be it enacted & established by this present Parliament

Parliament, and by authoritie of the same, That from henceforth consanguinitie or affinitie being not within the fifth degree betwixt the Jurour empanelled, or at any time hereafter to be empanelled in any Enquest or triall, whatsoever it bee or his wife, or any of the parties to the same enquest or trial or any the wife of the same parties, or betwixt the Sheriffe or Sheriffs Under Sheriffes, Coroner or Coroners, or other officer or Officers that shall serve returne or array any panell or Jury in any Enquest or triall or the wife of any of them, and any of the parties to the same enquest or triall, or any the wife of any of the same parties shall be no principall challenge.

C A p. V.

An Act that maketh it felonie to any man to runn away with
his Masters Casket

VV Here before this tinte divers aswell noble men as other the kings subjects have upon confidence and trust, delivered unto their servants, their Caskets and other Jewells, Money, goods, and cattalls, safely to be kept to the use of their said Masters or Mastresses, and after such delivery the said servants hath withdrawn themselves & gone away from their said Masters and Mastresses, with the said caskets, Jewells, Money, goods, Cattalls, or part thereof, to the intent to steal the same, and defraude their said Masters and Mastresse thereof. And sometime being with their said Masters & Mastresses, have converted the said Jewells, Money and other cattalls, or part thereof to their owne use, which misbehaviour so done, was doubtfull in the common lawe: whether it were felony or not. And by reason thereof the foresaid servants have been in great boldnesse to commit such like offences. Be it therefore enacted, ordeyned and established by the King our Sovereigne Lord by the assent of the Lords spirituall and temporall, and the commons of this present Parliament assembled by authoritie of the same, that all & singular such servants to whom any such caskets, Jewells, Money, goods or cattalls, by his or their said Masters or Mastresse shall from henceforth so be delivered to keep, that if any such servant, or servants withdraw him from their said Masters & Mastresses and goe away with the said caskets, Jewells, Money, goods or other cattels, or any part thereof, to the intent to steal the same, and defraud his or their said Masters or Mastresses thereof, contrary to the trust and confidence to him or them put by his or their said Masters or Mastresses, or else being in the service of his said Master or Mastresse, without assent or commandement of his Master or Mastresse, hee or shee imbesell the same caskets, Jewells, Money, goods, or cattels or any part thereof, or otherwise convert the same to his owne use, with like purpose to steal it, that if the said caskets, Jewells, goods, and cattels, that any such servant shall goe away with, or which he or shee shall imbesell with purpose to steal it, as is afore said, be of the valour of forty shillings or above, that then the same false fraudulent and untrue Act, and demeanour from henceforth shall bee deemed and adjudged felonie, and hee or they so offending, to be punished as other felons be punished for felonies committed, by the course of the common law. Provided alway, that this Act or any thing herein conteyned, shall not in any wise extend or be prejudiciall to any Apprentice or Apprentices, nor to any person within the age of eightene yerres, going away with his Masters goods or Jewells, or otherwise converting the same to his or their owne uses, during the time of their Apprentishippe, or being within the same age of 18th yeares, but that every Apprentice or Apprentices, such person or persons being within the said age, doing or offend-

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ing contrarie to this present Act, shall bee and stand in like case, as they and every of them were befoze the making of this Act.

CAP. VI.

An act for Marriages. Rot' Pari'. cap. 7.

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1.
This Act be-
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repealed, is
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only repealed
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his usur-
ped power
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which by
Gods word
is lawfull.

Whereas heretofore the usurped power of the Bishoppe of Rome hath alwayes entangled & troubled the mere jurisdiction and regal power of this land of Ireland, & also inquieted much the subjects of the same by his usurped power in them: as by making that unlawfull, which by Gods word is lawfull, both in marriages and other things, as hereafter shall appeare at more length. Till now of late in our Sovereign Lords time, which is otherwise by learning taught then his predecessours in times past of long time hath been, and hath so continued the same, whereof yet some sparkles bee left, which hereafter might kindle a great fire, and so remayning, his power not to seem utterly extinct. Therefore it is thought most convenient to the Kings highnesse, and to his Lords spirituall and temporall, with the commons of this land assembled in this present Parliament, That two things specially for this time be with diligence provided for, whereby many inconveniences hath ensued, and many moe evils mought ensue and follow. As where heretofore diverse and many persons after long continuance together in Matrimonie without anie allegation of cyther of the parties, or anie other at their Marriage, why the same Matrimonie should not bee good iust and lawfull, and after the same Matrimonie solemnized & consummate by carnall copulation, and also sometimes fruite of children ensued of the same Marriage, have nevertheless by an unjust law of the Bishop of Rome, which is, that upon pretence of a former contract made and not consummate by carnall knowledg, for prooffe whereof two witnesses by that law were onely required, been divorced, and seperated contrarie to Gods law: and so the true Matrimonie both solemnized in the face of the Church and consummate with bodily knowledg, and confirmed also with the fruit of children had betwixt them, cleerely frustrate and dissolved, further also by reason of other prohibitions then Gods law admitteth, for their lucre by that court invented, the dispensation whereof they alwayes reserbed to themselves, as in kindred or affinitie, betwixt colen germans, and so to fourth and fourth degree, carnall knowledg of any of the same kinne or affinity, befoze in such outward degrees which all were lawfull, and be not prohibited by Gods law, and all because they would get money by it and keepe a reputation to their usurped jurisdiction, whereby not onely much discord betwixt lawfull married persons hath contrary to Gods ordinance arisen much debate and suit at the law, with the wrongfull veration and great dammage of the innocent partie, hath been procured and many iust Marriages in doubt and danger of undoing & alio many times undon, and lawfull beyres disenherited, whereof they had never else but for his vaine glorious usurpation been moved any such question sithence freedom was in them, was given us by Gods law, which ought to be most sure and certaine. But that notwithstanding, marriages have been brought into such an uncertaintie thereby, that no marriage could be so sure knitt and bounden, but it should ly in cyther of the parties powers and arbitre, casting away the feare of God by meanes and compasse to probe a precontract, a kindred and allvance, or carnall knowledg to defeat the same. And so under the pretence of these allegations afore rehearsed to lide all the dayes of their life in detestable adulterie, to the utter destruction of their owne soules, and the provocation of the terrible wrath of God upon the places where

where such abominations were used and suffered. Be it therefore enacted by the King our Sovereign Lord and the Lords spirituall and temporall, and the commons in this present Parliament assembled, and by authoritie of the same, That from the first day of July last past, in the year of our Lord God 1540, all and every such marriage as within this church of Ireland hath or shall be so contracted betwixt lawfull persons as by this Act we declare all persons to be lawfull that be not prohibited by Gods law to marry, such marriages being contracted and solemnized in the face of the Church and consummate with bodily knowledge or fruit of children, or child, being had therein betwixt the parties so married, shall be by authoritie of this present Parliament a- marriages
foresaid, deemed, judged, and taken to be lawfull, good, just, and in- consummat
dissoluble, notwithstanding any precontract or precontracts of ma- with bodily
trimonie not consummate with bodily knowledge, which eyther of the knowledge
persons so married, or both shall have made with any other person or indissoluble
persons before the time of contracting that marriage which is solemn- standing a-
nized or consummate, or whereof such fruit is ensued or may ensue by precon-
as afore. And notwithstanding any dispensation, prescription, law or o- tract where
ther thing graunted or confirmed by act or otherwise. And that no refer- ther was no
bation or prohibition (Gods law except) shall trouble or impeach any ma- Canall
riage without the Levitical degrees. And that no person of what estate, de- knowledge,
gree, or condition soever he or shee be, shall after the first day of the month 28. h. 8.
of July aforesaid, be admitted in any of the spirituall Courts within cap. 62.
this the kings land of Ireland, or any other his Graces lands and domi-
nions to any proccesse, ples or allegations contrary to this foresaid Act.

CAP. VII.

An Act for all Lords to distrain vpon the lands of them holden, and to make their avow-
rie not naming the tenant but the land. *Rott. parl. ca. 8.*

VHere aswell the noble men of this land, as diuers other persons Eng. St. 21.
by fines, recoberies, graunts, and secret feoffements and lea- h. 8. cap. 19.
ses made by their tenants to persons unknowne of the lands and tene- the Lords
ments holden of them, have put from the knowledge of their tenants, distraining
upon whom they should by order of the law make their abowries for holden of
their rents, customes and serbices to their great losses and hindrances. them, need
Be it therefore enacted or deyned and established by authoritie of this pre- not in their
sent Parliament, That wheresoever anie mannours, landes, tenements abowrie
or other hereditaments bee holden by anie manner person or persons name the
by rents, customes, or serbices, that if the Lord of whom any such ma- the land.
nours, lands, tenements, or hereditaments be so holden, distraine up-
on the same mannours, lands or tenements for any such rents, customes
or serbices, & replevin thereof to be sued, that the Lord of whom the same
lands, tenements or hereditaments be so holden may avow or his bay-
liff, or servant make cognisance or justifie for taking of the said distres-
ses upon the same lands, tenements or hereditaments so holden, as in
lands or tenements within his fee or seigniozie, alleaging in the
said avowry, cognisance, and justification, the same manours, lands,
tenements, to bee holden of them without naming of any person cer-
tain to bee tenant of the same, and without making any avowrie, justi-
fication or cognisance upon any person certain, And likewise the Lord,
bayliff or servant to make avowrie, justification, or cognisance in like
manner and form, upon every writ, sued of second deliberance, Costs and
And also be it enacted by the same authoritie, that every avowant, and damages for
every other person and persons, that make any such avow, justification the avowant
or cognisance, as bayliff or servant, to any person or persons in any
replegiare, or second deliberance, for rents, customs, serbices or for
damages

Damages fealaunt or other Rent or rentes upon any distrestaken in any lands or tenements, if the same abowry, cognisance or justification be found for them, or the Plaintifes in the same be non suit, or otherwise barred that then they shall recover their damages and costs against their said Plaintifes as the said plaintife should have done, or had if they had recovered in the replegiare or second deliberance found against the said defendants & be it also ordeined, that the said Plaintifes & Defendants in the said writtes of replegiare or writtes of second deliberance, and in eberie of them shall have like ples, and like ayd preyers in all such abowries, cognisance and justifications (ples of disclaimer only excepted as,) they might have had, before the making of this Act, and as though the said abowrie, cognisance and justification had been made after due order of the common law. And it is further enacted, by the said authoritie, that all such persons as by the order of the common law, may lawfully joine to the Plaintifes or defendantes in the said writtes of replegiare or second deliberance, aswell without proces as by proces shall from henceforth joine unto the said plaintifes or defendantes, aswell without proces as by proces, & to have like, ples and like advantage in all things (disclaimer onely excepted) as they might have done by order of common law before the making of this Act.

C A p. VIII.

An Act for Capacities. *Rott, parl. cap. 9.*

concerning
Religious
persons up-
on their de-
raignment.

that they
may pur-
chase

that no be
sued for any
thing after
their de-
raignment.

Not to be
adjudged

BE it enacted by the authoritie of this present Parliament, that Sir John Rawson knight, late Priour of Saint Johns Jerusalem in Ireland, and all other religious persons, aswell Men as Women, professed of what order, rule or habit soever they were, which be or hereafter shall be put at their liberties from daunger, servitude and condition of their religion and profession whereunto they were professed by reason of suppression, dissolving, forfeiture by attainder, rendring or otherwise given up to the hands of the Kings Majesty: or any other the same Monasteries, Abbeyes, Priories, or other religious houses or places wherein the same religious persons were professed, shall by Authoritie of this present Parliament from & after the first day of the same Parliament, and from & after the time that they were and shall be put in such libertie free, libertie to purchase and take to them & their heyres in fee simple, fee taile, or for terme of life, for yeares, or at will, manours, lands, tenements, rents, annuities or other hereditaments, and things whatsoever they be, in like manner, and forme as though they nor any of them had never been professed nor entred into any such religion. And furthermore, that they the same religious persons and every of them shall be made able by authoritie of this present Act, to sue and to be sued in all manner of actions, plaints and suits whatsoever they be, of and for any matter or cause growing since & after the time of their severall deraignments or departing out of their religion in all courts and places within this land, as other the Kings subjects. And furthermore, that they and every of them shall and may from henceforth use and exercise, receive, take and enjoy all & every lawfull thing and things to be growing, fall or happened to them or any of them after the said deraignment or departing out of their religion in as large & ample maner & forme & condition as if they had never been professed nor entred into religion the same profession or religion or any law custom or use within this land to the contrarie thereof in any wise not withstanding. Provided alway & be it enacted by authority aforesaid, that none of the same religious persons shall or may at any time hereafter be taken deemed or iudged for or as heyre or heyres inheritable to any person or persons to any purpose respect construction or intent in the law nor that they nor any of them

by vertue of this Act be receiued, admitted, or deemed able in the law, to demand, challenge, receive, or take any manors, lands, tenements or hereditaments, or any other thing or things by reason of, or for any former title, right, interest, matter or cause, had, made or grown, to any respect or purpose before their said severall deraignements, or departing out of their religion, nor that any of the said religious persons being Priests, or such as hath adbowwed religion at xxi. yeares of age or aboue and thereto then consented continuing in the same any while after, not duly proving by witnessse or other lawfull meanes some unlawfull coercion or compulsion done to them or anie of them for making of any such bow or constraining them to remayn in their religion, be enabled by vertue of any words, clause or sentence, before in this Act expressed to marrie or take any wife or wives, but that they and everie of them be cleerly excluded and put from the same, to all intents and purposes: any thing before in this Act to the contrarie hereof in any wise notwithstanding.

such as ad-
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gion at 21.
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CAP. II.

An Act for Servants wages. Rot. parl. cap. ii

FOrasmuch as prices of victualls, cloth, and other necessities for labourers, servants at husbandry and artificers yearly change as well sometime by reason of dearth and scarcenesse of corne and victuall as otherwise, so that hard it is to limit in certain what wages servants at husbandry should take by the year, and other artificers and labourers by the day, by reason whereof they now aske and take unreasonable wages within the land of Ireland. For reformation whereof, be it enacted by authoritie of this present Parliament, That the Justice of Peace in every Countie within this land of Ireland, yearly in their Sessions to bee holden within one moneth next after the feast of Easter, and one moneth next after the feast of Saint Michael the Archangel shall make proclamations by their discretion, having respect to such prices, as victualls, cloth, and other necessities then shall be at how much every Mason, Carpenter, Sclauter and every other artificer and labourer, shall take by the day as well in harbest season as any other time of the year, with meat and drinke, and how much without meat and drinke, betwixt both the said Sessions. And also at the Sessions, to bee holden next after the feast of Easter, how much every servant at husbandry shall take by the year following with meat and drinke, and that every of them shall obey such proclamations from time to time, as a thing made and established by Act of Parliament for a law in that behalfe, upon paine of forfeiture every one of the said Carpenters, Sclauters, artificers, labourers, and servants, that shall take any thing contrarie to the said proclamation or proclamations, the thing so taken, and imprisonment of their bodies, by the discretion of the said Justice, and that Justice of Peace at any Sessions, shall enquire, heare and determine the same offences, and thalshendell of the said forfeiture to be to the Kings highnesse, and the other halfe to him or them that shall give information of the same forfeiture, and that all and every Act before this time made concerning the limitation of wages for the said servants, artificers and labourers, bee in that point onely voyde and of none effect within this land, and this Act to endure till the next Parliament within this land to be holden.

Eng. St. 5 El.
cap. 4.

Justices of
peace at the
sessions to
limit what
wages.

Laboures

and Artifi-
cers shall
take.

the penalty.

all former
Acts boyd.

revied and
perpetuar-
ed. 11. St. 11
El. cap. 5

CAP. X.

An Act for Iointenants. Rot. parl. cap. 12.

FOrasmuch as by the common lawes of this land, diverse of the Kings subjects being seised of mannours, lands tenements, and hereditaments

1. *Pa. 22.*
erfol 93.
55. Que si
un coparce-
ner fait de-
stinent de
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that joynt
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hereditaments, as joynte tenants, or as tenants in common with other of any estate of inheritance, in their owne right, or in the right of their wives, by purchase descent, or otherwise, and everie of them so being joynt tenants or tenants in common, have like right, title interest and possession in the same manours, lands, tenements and hereditaments, for their parts or portions, jointly or in Common, undividedly together, with other, and none of them by the Law, doth or may know their severall parts, or possessions in the same, or that, that is his or theirs, by it selfe undivided, and cannot by the Laws of this land, otherwise Occupie or take the Profites of the same, or make any Severaunce, Division, or Partition thereof, without other of their Mutuall assents, and consents, by reason whereof divers and many of them being so jointly and undividedly seised of the said Mannours, Lands, Tenements, and hereditaments, oft times of their Perverse, Covetous, and Malicious minds, and wills against all Right, Justice, equitie and good conscience, by strength and power, hath not onely cut and fallen down all the Woods and Trees grown upon the same, but also have extirped, subverted, and pulled downe and destroyed all the houses, edefices and buildings, Meadows, Pasture, Commons, and the whole Commodities of the same, and have taken and converted them to their owne uses and behooves, to the open wrong and disherison, and against the mindes and willes of other holding the same mannours, lands, tenements and hereditaments jointly or in common with them, and they have been alwayes without assured remedie for the same. Bee it therefore enacted, by the King our most dread Sovereign Lord and by the assent of his Lords spirituall and temporall, and by the commons in this present Parliament assembled, That all joynt tenants and tenants in common that now bee, or hereafter shall bee, of any estate or estates, of inheritance in their owne rights, or in the right of their wives, of any mannours, lands, tenements and hereditaments within this land of Ireland, shall and may bee coerced, and compelled by vertue of this present Act, to make partition between them, of all such mannours, lands tenements and hereditaments as they now hold, or hereafter shall hold, as joynt tenants, or tenants in common, by writ *de participatione facienda*, in that case to be devised in the King our Sovereign Lords court of Chauncerie of this land, in like maner and forme as coparcioners by the common lawes of this land, have been and are compellable to do, and the same writte to be pursued at the common law. Provided alway, and be it enacted, that every of the said joynt tenants or tenants in common, and their heires after such partition made, shall and may have ayde of the other or of their heires, to the intent to deraign the garraunt paramount, and to recover for the rate, as is used betwixt coparcioners after partition made by the order of the common law. any thing in this Act conteyned to the contrary notwithstanding. And bee it further enacted by the authoritie aforesaid, That all joynt tenants and tenants in common, and everie of them, which now hold, or hereafter shall hold, jointly, or in common, for term of life, year or years, or joynt tenants, or tenants in common, where one or some of them have, or shall have estate or estates for terme of life or yeares, with the other that have, or shall have, estate or estates of inheritance or freehold, in any mannours, lands, tenements, or hereditaments, shall and may be compellable from henceforth by writ of partition, to be pursued out of the Kings Court of Chauncerie, upon his or their case, or cases to make severaunce and partition of all such mannours, lands, tenements and hereditaments

hereditaments, which they hold joyntly or in common, for terme of life or lives, year or years, where one or some of them, holde jointly or in common, for terme of life or years, with other that have an estate or estates of enheritance or freehold, provided alway, & be it enacted, that no such partition nor severance hereafter to be made, by force of this Act, bee nor shall be prejudiciall or hurtfull to any person or persons, their heyres or successours, other then such which bee parties or privie unto the said partition, their executors or assignes.

CAP. XI

An Act for recoverie in avoyding Leases. *Rott. parl. cap. 13.*

VHere afore this time, diverse persons have made Leases of their mannours, landes, tenements, and other hereditaments, sometime by their Indentures, and sometime without writing, to other persons, for term of yeares, taking of them great fines, for their incomes of the same leases, & after the same lessours, their heyres or assignes have caused and suffered recoveries to be had against them, in the Court of our Soberaign Lord the King, and in other Lords Courts within this land, upon fained and untrue titles, by craft and covin, to put the said termours from their said termes, and after such recoveries had, the same recoverers, by reason of such recoveries and iudgement, have entred into the same mannours, lands, tenements, & other hereditaments, so to ferme letten, and therof have expulled the sayd farmours, contrary to the said Leases, Cobenaunts and agreements and because it was doubted to some persons, whether the sayd termours might falsifie such recoveries or not: Bee it therefore enacted by the King our Soberaign Lord, with the assent of the Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, & by the authoritie of the same, That all such termours, shall and may falsifie for his terme onely, such recoveries as well heretofore had, as hereafter to bee had, in such wise and forme, as a tenant of a freehold, shall and may doe by the course of the Common Law, where such tenaunt of freehold was neyther privie nor party to the same recoverie, and that the same termours their executors and assignes, notwithstanding such recoveries so had shall retain, hold and enjoy the said termes according to their said leases against all such recoveries, their heirs and assignes, as they should or might have done against the said Lessours, if such recoverie had not been had, ne suffered, and that the same recoverers their heirs and assignes, after such recoverie so had, shall have like remedie against the said termoures, their executors and assignes, by avowrie or action of debt, for the rentes & servies reserved upon the same leases, being due after the same recoveries, & also like action against them for wast done after the same recoveries so had in like maner & forme, as the said Lessors should or might have had, if the same recoveries had never been had And also bee it further enacted, by the authoritie aforesaid, that no manner of statute of the Staple, statute Merchant, nor execution by Elegit, bee hear after avoyded, or in any wise made frustrate, by meanes of any such fained recoverie, but that all persons having any lands, tenements or other hereditaments, in execution or being intituled to have execution of any mannours lands or tenements by any such means, shall have by force of this statute like remedie to avoyd and falsifie the same recoveries, as befoze is ordeined, and provided for the lease for terme of yeares.

that partition may be made the one has an inheritance & the other but for life or years

lessors for years may falsify common Recoveries
Eng. St. 21
H. 8. c. 15.
Eng. St. 6 E.
1. c. 11.

as a tenant of the freehold might doe

that the recoverers shall have the like remedie for their rentes and servises as the lessor might

that no statute staple merchant or elegit be avoyded

CAP. XII.

An Act for Tythes. Rot^h parl. cap. 15.Eng. St. 32.
h. 8. cap. 7.

Where divers & many persons inhabiting in sundrie countries and places of this land of Ireland, not regarding their duties to almighty God, & to the King our Sovereign Lord, but in few years past more contemptuously and commonly presuming to offend and to infringe the good and holsum lawes of this land of Ireland, & gracious commaundements of our said Sovereign Lord then in times passed hath been seen or known, have not letted to substract & with draw the lawfull & accustomed tythes of corne, hay pasturages, and other sort of tithes and oblations, commonly due to the owners, proprietaries and possessioners of the Parsonages, Vicarages, and other Ecclesiasticall places of & ithin the said and of Ireland, being the more encouraged thereunto for that that divers of the Kings subjects, being Lay persons having Parsonages, Vicarages, & tythes to them and to their heires, or to them and to the heires of their bodies lawfully begotten or for term of life, or years, cannot by the order and course of the Ecclesiasticall lawes of this land, sue in any Ecclesiasticall court for the wrongfull withholding and detaining of the said tithes or other duties, nor cannot by the order of the Common lawes of this land of Ireland, have any remedie against any person or persons their heires or assignes that wrongfully withholdeth and detaineth the same, by occasion whereof much controverisie, suit, variance and discord is like to ensurge and ensue amongst the Kings subjects, to the great detriment, damage and decay of many of them, if convenient and speedie remedie thereof be not had and provided. Wherefore it is ordained and enacted by our said Sovereign Lord the King, with the assent of the Lords spirituall and temporall and the commons in this present Parliament, assembled, and by the authoritie of the same that all & singuler persons of this his said land of what estate, degree or condition soever hee or they be, shall fully, truly and effectually divide set out yeeld or pay all and singuler tythes and offerings afore said, according to the lawfull customes and usages of the paroches and places where such tythes or duties shall growe, arise, come or be due, and in case that it shall happen any person or persons of his or their ungodly and perverse will and mind to detain or with hold any of the said tithes or offerings, or part or parcell thereof, then the person or partie being Ecclesiasticall or Lay person having cause to demaund or to have the said tythes or offerings being thereby wronged or greibed, shall or may convent the person or persons so offending, before the Ordinarie, his Commissarie or other competent Minister or lawfull Judge of the place where such wrong should bee done, according to the Ecclesiasticall Lawes, and in everie such cause or matter of suit the same Ordinarie, Commissarie or other competent Minister or lawfull Judge having the parties or their lawfull Procuratours, before him or them shall and may by vertue of this Act, proceed to examination, hearing, and determination of everie such cause or matter ordinarily of sommall according to the course of and processe of the said Ecclesiasticall Lawes, and thereupon may give sentence accordingly. And in case that anie of the parties for anie cause or matter concerning that suit doe appeale from the sentence order and definite judgement of the said Ordinarie or other competent Judge as is afore said, then the same Judge by vertue of the same Act, forthwith upon such appellation made, shall adjudg to the other partie the reasonable cosles of his suit therein before expended, and shall compell the same partie appellaunt to satisfie and pay the

All persons
shall set out
the tythe

or else be
conbented
before the
spiritual
Judge at
the suit of
the Lay or
Ecclesiasti-
cal owners

And upon
appeal shall
pay cosles to
the party
giving secu-
rity to re-
store if ad-
judged.

the same cosles so judged by compulsarie processe and censoures of the said Laws Ecclesiasticall, taking suertie of the other partie to whom such cosles shall bee adjudged and payd to ressoze the same cosles to the partie appellaunt, if after the principall cause of that suit of appeale shall bee adjudged against the same partie to whom the said cosles shall bee yeilded, and so euerie Ordinarie or other competent Judge Ecclesiasticall, by vertue of this Act shall adiudge cosles to the other partie upon euerie appeale to bee made in any suit or cause of subtraction or detention of any tythes or offerings or in any other suit to bee made for or concerning the duetie of luch tythes or offerings. And further bee it enacted by the authoritie aforesaid that if any person or persons after luch sentence definitiue given against them, obstinately and willfully refuse for to pay their tythes or dueties or such summes of money so adjudged, wherein they be condempned for the same, that then And if he refuse to obey the definitive sentence upon certificate, shall be imprisoned by 2 Justices of Peace, one of the Quorum till &c.

two Justices of Peace of the same Shire, whereof one to be of the Quorum shall have authoritie by this Act upon information, certificate or complaint to them made in writing by the said Ecclesiasticall Judge that gabe the same sentence to cause the same partie so refusing, to be attached and committed to the next Gaole, and there to remain without bayle or mainprize till he or they shall have found sufficient suerties to be bound by Recognisance or otherwise to the King to performe the same definitive sentence and judgement. Provided alwayes, and be it enacted by the authoritie aforesaid, That no person ne persons shall be sued or otherwise compelled to yield gibe, or pay any manner of tythes for any Mannors, Lands, Tenements, or Hereditaments, which by the Laws or Statutes of this land of Ireland, are discharged, and not chargeable with the payment of any such tythes. Bee it further enacted by the authority aforesaid, That in all cases where any person or persons, which now have or which hereafter shall have any estate of inheritance, freehold, terme, right, or interest, of, in, or to any Parsonage or Vicarage, portion pension, tythes, oblations, or other Ecclesiasticall or spirituall profit, which now be or which hereafter shall be made temporall, or admitted to be, abide, and goe to or in temporall handes or lay uses and profit by the laws or Statutes of this land of Ireland, shall hereafter fortune to be disseised, deforced, wronged or otherwise kept or put from their lawfull inheritance, estate, seisin, possession, or occupation, tearm, right, or interest, of in, or to the same, or of in, or to any parcell thereof by any other person or persons clayming or pretending to have interest or title in or to the same: that then in every and all such cases or case, the person or persons so disseised deforced, or wrongfully kept or put from his or their right or possession, as is afore rehearsed their heyres wides, or such other to whom such injurie or wrong shall be done or committed, shall and may have their remedie in the Kings temporall courts, or in other courts as the case shall require for the recoberie getting or obtaining of such enheritance, estate, freehold, seisin, possession, terme, right, or interest, by Writs originall of Precipe quod reddat, alsife de nouel disseisin, morte dauncetter, quod ei deforceat, Writs of Dotwer, or other Writs originall, as the case shall require to be devised and graunted in the Kings Chauncerie of euerie such Parsonage, Vicarage, portion, pension, or other profit called Ecclesiasticall or spirituall so to be demaunded according to the nature and cause of the suit thereof, in like maner and forme as they should, ought or might have had, of or for lands, tenements, and other hereditaments in such manner to be demanded, and that Writs of covenant and other Writs for fines to be levied, and all other assurances to be had, made, or conveyed

fines may
be levied
tythes &c.

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ing out of
tythes but
in court
ecclesiastical

conveyed of any such Parsonage, Vicarage, perlon, pension, or other profite, called Ecclesiastical or spiritual, as is aforesaid: shall be hereafter, devised and graunted in the said Chauncerie according as hath been used for fines to be levied, and assurances to be had, made, or conveyed of lands tenements, or other hereditaments. And that all judgments to be given upon any of the said Writs original, so to be devised and graunted of, or for any the premisses, or any of them, and all fines to be levied and knowledged in any of the Kings said courts thereof, shall be of like force and effect in the law, to all intents and purposes, as judgments given and fines levied of lands, tenements, and hereditaments in the same Courts upon Writs original therefore duly pursued and prosecuted: albeit no such forme of writs original out of the said court of Chauncery have heretofore proceeded or bene awarded. Provided alwayes that this last act shall not extend nor be expounded to give any remedie cause of action or suit in the Courts temporall against anie person or persons which shall refuse or denie to set out this or their tythes, or which shall detain, withhold, or refuse to pay his tythes or offerings or any parcell thereof, but that in all such cases the person or partie being Ecclesiastical or lay person, having cause to demaund or to have the said tythes or offerings & thereby wronged or grieved, shall take and have their remedie for their said tythes or offerings in everie such case in the spiritual courts according to the ordinance in the first part of this Act mentioned and not otherwise. Any thing here expessed to the contrarie notwithstanding

Cap. XIII.

An Act for attournements. *Rot. Parl. cap. 16.*

En. St.
7 b 8 cap 4

recoberers
had
no remedie by
the common
law to reco-
ber their
rents or pre-
sentations

that the re-
coberers
may distrain
bring their
Quareim-
ped and
awoe as be-
as he
against who
the recoberer
has
the

VV Whereas diverse, as well noble men as other the Kings subjects, have suffered recoveries against them and divers their manours, lordships, lands, and tenements for the performance of their wills, or for the suertie of their wives joynters, or for the jointer of sonnes and heyres apparant and their wives, or for any other person or persons according to their covenants and agreements. And those persons that so have recovered the said manours, by the course of the common law had not remedie, nor may have to compell the fermour freeholders and tenants, which held of the same manors by rents, services or customes, to attorn to them nor could by the order of the law attain to the rents services, or customes, if they were denied by distresse or action without they could once attain to the possession of the rents, services and customes by paying or doing the said rents services or customes by the same freeholders, fermours and tenants, which to doe divers and many of them have often times refused and yet doe, to the great offence and charge of their conscience not onely to the disinheritance of the said recoberers, but also in breaking of the last wills of them against whom such recoveries is had. And also to the disinheritance of the said husbands, wives and other to whose use the same recoveries was so had. Also if there were any adbovson appendant to any of the said manours, the same adbovson had fallen void, and a stranger had presented, the said recoberers nor they to whose use the same recoverie was had, had no remedie for the same disturbance, and sometime thereby they have bene disinherited. Be it therefore enacted by this present Parliament, and by the authoritie of the same, That the recoberers in all such recoveries their heires and assignes may from henceforth distrain for the said rents, services, and customes so being due and unpaid, and make adbovie or justifie the same as those persons again it whom the said recoverie was had, should have done if the said

said recoverie had not been had: and also have like remedie for the recoverie of the said rent services and customes by abowrie, and also (Quare impedit) for the said abowson, if any disturbance be made as those persons, against whom the said recoveries were had, might or should have had, by the course of the common lawe afore the said recoverie, if any such rent, services, or customes had been denied them, or any such disturbance had, bee had, in their times. & also that every abowant & any other person & persons that maketh abowrie, complaisance or knowledg, or justifie as Baylife to any other person or persons in any replegiare, second deliberance for any rent, custome, or service, if their abowrie, complaisance, or justification, bee found for them or the plaintifes in the said actions otherwise barred shall recover their dammages & costs that they have susteyned as the plaintife should have done if they had recovered in the said replevins.

that the
Abowant
for rent
customs or
services
shall recover
damages
and costs as
the plaintif
should have
done

Cap. XIII

An Act for erecting of Vicarages. Rot. parli. cap. 6.

Where as well the Church of Kilmaynam is a Parish Church and hath been appropriated and united unto the late hospitall of Saint Johns Jerusalem within this land of Ireland, as also diverse other parish Churches within the said land likewise appropriated to the said late Hospitall and to other Monasteries, religious houses and hospitals now dissolved, having no Vicar, endowed with in the same Parish Churches, within which parish Churches divine service was done, maintayned and kept, and the Cure served by the late religious persons of the same Hospitall, Monasteries and religious houses. And forasmuch as the said Hospitall, Monasteries or religious houses be now lawfully and justly dissolved and com in to his Majesties hands, whereby there is no person certain appointed to doe, maintain or keep the same Cure Minister Sacraments & Sacramentals to the parishioners within the same parishes, and every of them: wherefore if it might please the Kings highnesse it were convenient that one able person should be appointed and limited within every of the said parish Churches for & to the intent afore rehearsed, in consideration whereof, and to the intent that the Kings subjects inhabiting within every of the said parishes should be hereafter from time to time instructed with the true, perfect and sincere word of Almighty God and to the intents afore said, at the humble petition and suite of the Kings most obedient and loving subjects the inhabitants of the said parishes his Majestie is contented and pleased that it be enacted and established by authoritie of this present Parliament, That Sir Anthony Senterleger knight Deputy to the Kings highnesse, John Allen his Graces Chauncelloz, William Brabazon his Majesties Vicetresaurer of this land, Sir Gerald Aylmer knight his Graces chiefe Justice of the pleas before himselfe to bee holden within this his said land, Sir Thomas Luttrell knight chiefe Justice of the Common place, James Bath chief Baron of the Kings Exchequer, Robert Cowley Master of the Rolls, Thomas Houth secundarie Justice of the Kings Bench, Patrick Barnwall the Kings Sargeant at lawes Robert Dillon the Kings generall Attorney within this said land of Ireland, or nine, eight, seven or six of them, whereof the said Lord Deputie, Lord Chauncelloz, Vicetresaurer and Chief Justice to be four of them, shall and may by authoritie of this present act have full power and authoritie to erect, ordaine and incorporate one Vicarage of one Vicar in everie of the parish Churches as they or nine, eight, seven or six of them as is afore said shall think convenient, to which shall have succession in everie of the same

vicarages
to be appointed
where
the parishes
were appropriated

by whom

in what
parishes

Vicarages as Vicar in him and his successors for ever. And that the
 said Lord Deputie to nominate and present in the Kings highnesse
 name to the Ordinarie within whose Diocesse the said Church doth
 stand one able and sufficient person to bee Vicar of everie of the said
 Churches, which person so nominated and presented after his admissi-
 on, institution and induction to bee reputed taken impleaded, and to
 implead as Vicar of the said Church to all intents and purposes as
 other Vicars of this land have by the law of this land. And that further
 by the same authoritie the said Sir Anthony, John Allen, William
 Brabazon, Sir Gerald Sir, Thomas, James, Robert Cowley, Thomas
 Houth, Patrick and Robert or nine, eight, seven or six of them
 as is aforesaid shall & may limmit & assigne unto everie such vicar such
 man ses, portions of tythes alterages & oblations of the possessions com-
 ming to the Kings highnesse by the dissolution of the same Monaste-
 ries Hospitalles, or houses for the mayntenance of Divine service, keep-
 ing of good hospitality within their said parishes and for the intents
 and purposes aforesaid, as by the said Sir Anthony, John, William,
 Sir Gerald, Sir Thomas, James, Robert Cowley, Thomas Houth,
 Patrick and Robert Dillon, or nine, eight, seven or six of them, where-
 of the Lord Deputie, Lord Chauncelloz, Wicethesaurer and Chiefe Ju-
 stice to be four of them, shall bee necessarie and convenient, And that
 the Lord Chauncelloz of this said land for the time being after the cer-
 tificate had under their Scale of the said limitation and appoint-
 ment of the mansions, portions of tythes alterages and oblations into
 the Kings Court of Chauncerie within this land shall bee by the Kings
 Letters patents under the great Seal of this land by vertue of this
 Act, and in the Kings name graunt and endow the same Vicars with
 the same mansions tythes, portions, alterages and oblations so certi-
 fied into the said Court of Chauncerie, to be had, everie such manse,
 portions of tythes, alterages and oblations unto everie such Vicar
 and Vicars, and his and their successors in pure almes for ever: pay-
 ing and reserving unto the Kings highnesse his heyres and successors
 yearly the twentieth part of everie such Vicarages, and the first fruits
 at and upon everie presentation, nomination, or collation of everie
 such Vicar, in such manner and forme as other Vicars within this land
 bee bound by the lawes and statutes of this Realm. So that, and
 provided alway that the yerely value of everie such manse, portion of
 tithes, alterages and oblations so to be endowed, given, graunted, li-
 mitted and assigned to any such Vicar at the time of any such endow-
 ment, gift, graunt, limitation, and assignement doe not exceed the
 yerealy value of thirteene pounds sixe shillings and eight pence Irish
 Saving to all and singular persons, bodies politique and corporate,
 and their heyres and successors, and the heyres and successors of everie of
 them other then the Kings highnesse his heyres & successors all such right
 title, interest, claime possession, reversion, remainder, offices, annuities
 rent charges or commons which they or any of them have ought or
 might have had in or to any such of the said mansions parcels of tithes,
 alterages & oblations so to be endowed given, graunted, limited & assign
 to any such Vicar or Vicars, this Act or any thing or things therein
 containned to the contrary notwithstanding. Provided, and also be it
 enacted, That after the first establishment of everie such Vicarage and
 after the admission and institution of everie such Vicar or Vicars in
 the same the Kings highnesse his heyres and successors shall possesse
 and enjoy the advowson, presentation and nomination of everie such
 Vicarage, To have and to hold everie such advowsons presentations,
 and

to plead and
be implea-
ed as vicar.

the vicar
shall have
such tythes
&c. as the
Deputie &c.
shall thinke
convenient

the said li-
mitation to
be Certified
into the
chauncery.

the vicar
and his suc-
cessors to
have irin
free Almes
for ever.

20 parts
and first
fruits re-
served to the
King.

the Endow-
ments to
the Vicar
not to ex-
ceed 13 l.
6s. 8d. Irish

the King to
have the
presentation
to all the
Vicarrages

and nominations of every of the said Vicarages unto our said Sovereign Lord his heyres and successours for ever, as united and knit to his and their Imperiall Crowne,

CAP. XV.

An Act for Vagabonds. Rot. parl. cap. 14.

FOrasmuch as at a Parliament, holden at London within the Realm of England, the third day of November, the xxi. year of the reign of our most dread Sovereign Lord King Henry the eighth, and from thence adjourned and prorogued untill Twelminster, and there continued by fortie and four dayes, that is to say, untill the xvii. day of December, and from the said day and place untill the xxvi. day of Aprill then next ensuing, and from the same xxvi. day of Aprill untill the xxii. day of June then next ensuing, and from the xxii. day of June untill the first day of October then next ensuing, and from the same first day of October untill the xxii. day of the same month, and from the same xxii. day of October untill the xvi. day of January then next ensuing, on the which xvi. day of January it was enacted, ordeyned and established by authoritie of the same Parliament how aged, poor and impotent persons compelled to live by almes should be ordeed, and how vagabonds and mighty strong beggers should be punished, as in the same Act more plainely may appear: which Act for divers causes is thought very meet and necessary to be enacted in this land, wherefore be it enacted, ordeyned and established by authoritie of this present Parliament, That the same Act and all and every thing, article provision and thing comprised in the same, be within this land an Act and Statute to be continued and kept as a law within this land, according to the tenor and purport of the same. The tenor of which Act made in the xxi. year of the said King ensueth in these words, viz.

Where in all places throughout this Realm of England, vagabonds & beggers have of long time increased and daily doe increase in great and excessive numbers by the occasion of idlenesse, Mother and root of all vices, whereby hath insurged and sprung and daily insurgeth and springeth continuall thefts, murders, and other sundry heynous offences, and great enormities, to the high displeasure of God the inquietation and damage of the Kings people, and to marvellous disturbance, of the common wealth of this Realm. And whereas manie & sundry good lawes, strait Statutes, & ordinances have been before this time devised & made, as well by the King our Sovereign Lord as also by divers his most noble progenitors kings of England for the most necessarie and due reformation of the premises: yet that notwithstanding, the said numbers of vagabonds and beggers be not seen in any part to be diminished, but rather daily augmented and increased into great routs and companies, as evidently and manifestly it doth and may appeare. Be it therefore enacted by the King our Sovereign Lord, and by the Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, and by authoritie of the same, that the Justices of the peace of all and singular the Shires of England within the limits of their commissions, and all other Justices of Peace, Mayors, Sheriffes, Bayliffes, and other officers of all and every Citie, Borough, Rdings or Franchises within the Realm of England, within the limits of their authoritie shall from time to time as often as need shall require, by their discretions devide themselves within the said Shires, Cities, Boroughs, Rdings or Franchises, wherof they be Justices of Peace, Mayors, Sheriffes, Bayliffes, or officers. And so being devided, shall make diligent search and enquire of all aged, poor and impotent persons

Idlenesse
the occasion
of Beggars.

that the
herall
cor within

their liber-
 ri. & shall
 Inquire
 what poor
 are within
 their limits

persons which live, or of necessitie be compelled to live by almes of the
 charity of the people that be or shall be hereafter abyding within every
 Hundred, Rape, Wapentake, Citie, Borough, Parish, Libertie or
 franchises within the limits of their division, & after & upon such search
 made the said Justices of Peace, Mayors, Sheriffes, Bayliffes, and other
 officers (that is to say) every of them within their limits of their autho-
 rities whereunto they be divided, shall have power and authoritie by
 their discretions to enable to begge within such Hundred, Rape,
 Wapentake, Citie, Towne, Parish or other limits as they shall appoint,
 such of the said impotent persons which they shall finde and thinke
 most convenient within the limits of their division, to live of the chari-
 ty & almes of the people, and to give in commaundement to every such
 aged and impotent begger (by them enabled) that none of them shall
 begge without limits to them so appointed, And shall also register and
 write the names of every such impotent begger by them apointed in a
 bill of roll indented, the one part thereof to remain with themselfe,
 and the other part by them to be certified before the Justices of Peace
 at the next sessions after such search had, to be holden within the said
 Shires, Cities Townes or Franchises there to remain under the keep-
 ing of *Custos Rotulorum*. And that the said Justices of Peace, Mayors,
 Sheriffes, Bayliffes and other officers, that is to say, as they be
 divided shall have power and authoritie to make such and so many
 scales to be engraved with the names of the Hundreds, Rapes, Wapen-
 takes, Cities, Boroughes, Townes, or places within the which they
 shall appoint and limit every such impotent person to begge, and com-
 mit the said scales to the custody of such of them, or to the custody of
 such other as they shall thinke convenient, and shall make and deliver
 to every such impotent person by them enabled to begge, a letter con-
 taining the name of such impotent person, and witnelling that he is
 authorized to begge, & the limits within which he is appointed to begge:
 the same letter to be sealed with such of the said scales, as shall be en-
 graved with the names of the limit wherein such impotent person shall
 be appointed to begge in, and to be subscribed with the name of one of
 the said Justices or officers abovesaid: and if any such impotent person
 so authorized to begge, do begge in any other place then within such li-
 mits that he shall be assigned unto, that then the Justices of Peace,
 Mayors, Sheriffes, Bayliffes, Constables, and all other the Kings offi-
 cers and ministers shall by their discretions punish all such persons by
 imprisonment in the Stockes by the space of two days and two nights,
 giving them but onely bread and water, and after that cause every such
 impotent person to be sworne to return again without delay to the
 Hundred, Rape, Wapentake, Cittie, Borough town, parish or franchi-
 ses where they be authorized to begge in. And it is enacted that no such
 impotent person, as above said, after the feast of the Nativitie of Saint
 John Baptist next comming, shall begge within any part of this
 Realm, except he be authorized by writing under seale as is above-
 said. And if any such impotent person after the said feast of Saint
 John be vagrant, and go a begging having no such letter under seale, as
 is above specified, that then the Constables and all other inhabitants
 within such town or parish where such person shall begge, shall cause
 every such begger to be taken and brought to the next Justice of Peace,
 or high Constable of the Hundred, and thereupon the said Justice of
 peace or high Constable, shall commaund the said Constables, and other
 inhabitants of the town or parish, which shall bring before him any such
 begger, that they shall strip him naked from the middle upward, and
 cause

and appoint
 them their
 places to
 begg in

their names
 to be enrol-
 led.

letters seal-
 ed to be de-
 livered to
 them.

If they ex-
 ceed their
 limits to be
 put in the
 stocks.

and sworne
 to return
 to their
 owne limits

If any beg-
 ger have
 not a letter
 sealed to be
 shipped.

cause him to be whipped within the town where he was taken, or
 within some other towne where the same Justice or high Constable
 shall appoint, if it shall seem to the discretion of the said Justice of
 peace or high Constable that it be convenient so to punish such begger
 to him brought: and if not, then to commaund such begger to be set in
 the stocks in the same towne or parish where he was taken, by the
 space of three dayes and three nights, there to have onely bread and ^{or put in}
 water, And thereupon the said Justice, or high Constable, before whom ^{the stocks}
 such begger shall be brought, shall limit to him a place to begg in, and then a
 and gibe to him a letter under seale in forme aboves remembred, and ^{letter sealed}
 swear him to depart and repaire thither immediately after his punish- ^{= delibered to}
 ment to him executed. And be it further enacted by the authoritie aforesaid, ^{him}
 That if any person or persons being whole and mightie in bodie
 and able to labour, at any time after the said feast of Saint John, be
 taken in begging in any part of this Realm: or if any man or woman
 being whole and mightie in body and able to labour, having no land
 or other, nor using any lawfull Merchandise, craft or myserie where-
 by he might get his living, after the same feast be vagrant, and can
 gibe no reckoning how he doth lawfully get his living, that then it shall
 be lawfull to the Constables, and all other the Kings officers, ministers
 and subjects of every towne, parish and hamlet, to arrest the said vaga-
 bonds and idle persons, and them bring to any of the Justices of peace
 to the same shire or libertie, or else to the high Constable of the Hundred,
 Rape, or wapentake within which such persons shall be taken, And
 if he be taken within any Citie or towne corporate, then to be brought
 before the Mayor, Sherifes or Bayliffes of everie such towne corporate.
 And that every such Justice of peace, high Constable, Mayors, Sherifes
 and Bayliffes by their discretions shall cause every such idle person
 so to him brought, to be had to the next market towne or other place ^{vagrant}
 where the said Justices of peace high Constable, Mayors, Bayliffes and ^{persons able}
 other officers shall think most convenient by his or their discretion, ^{to labour to}
 and there to be tyed to the end of a Cart naked, & be beaten with whippes ^{be whipped}
 throughout the same Market, towne, or other place till his bodie
 be bloudy by reason of such whipping, And after such punishment and
 whipping had, the person so punished by the discretion of the Justice of
 peace high Constable, Mayor, Sherifes, Bayliffes, and other officers be-
 fore whom such person, shall be brought, shall be enjoyned upon his
 oath to return forthwith without delay in the next and straight way ^{and sent to}
 to the place where he was born, or where he last dwelled before the same ^{the place}
 punishment by the space of three yeres, and there to put himselfe to la- ^{where they}
 bour like as a true man ought to doe, And after that done, every such ^{were borne}
 person so punished and ordered, shall have a letter sealed with the seale ^{or last libed}
 of the Hundred, Rape, wapentake, Citie, Borough towne, libertie or
 franchise, wherein he shall be punished, witnessing that he hath been
 punished according to this Statute, & containing the day and place of ^{and to have}
 his punishment, and the place whereunto he is limited to goe, and by ^{a letter seal-}
 what time he is limited to come thither, within which time he may ^{ed that they}
 lawfully begge by the way, shewing the same letter, and otherwise ^{were pu-}
 not, And if he doe not accomplish the order to him appoynted by the ^{nished.}
 said letter, there to be effoones taken and whipped, and so as often as
 any default shall be found in him contrary to the order of this Statute
 in every place to be taken and whipped, till hee be repayed where he ^{to be whip-}
 was born, or where he last dwelled by the space of three yeres, and there ^{ed again}
 put his body to labour for his living, or otherwise truly get his living ^{if he ob-}
 without begging as long as he is able so to doe. And if the person so ^{serve not the}
 whipped ^{= the letter,}

and so to be
punished
till
he get his
Liberty by
labour

the penalty
for not
execut-
ing this
statute

the punish-
ment to the
inhabitants

whipped be an idle person, and no common begger, then after such whipping he shall be kept in the stocks till he have found suertie to goe to service, or else to labour, after the discretion of the said Justice of peace, Mayors, Sheriffes, Bayliffes, high Constables, or other such officers before whom any such idle person, being no common begger, shall be brought, if by the discretion of the same Justice of peace, Mayor, Sherif, Baylife, high Constable, or other such head officer it be so thought convenient, and that the partie so punished be able to find suertie, or else to be ordered and sworn to repaire to the place where he was borne, or where he last dwelled by the space of three yeares, and to have like letter, and such further punishment, if he eftsones offend this Statute, as is above appointed to and for the common strong and able beggers, and so from time to time to be ordered and punished till he put his body in labour, or otherwise get his living truly according to the law. And that the Justices of the peace of every Shire, ryding, Citie, Towne and Libertie, shall have power and authoritie, within the limits of their commissions, to enquire of all Mayors, Bayliffes, Constables, and other officers, and persons that shall be negligent in executing of this Act. And if the Constables and inhabitants within any towne or parish where any such impotent person, or strong begger doth happen to begge contrary to the forme of this statute, be negligent, and take not everie such impotent and strong begger that so shall begge against the forme of this statute, and order and punish every such begger as is above limited, that then the Towneship or parish where such default shall be, shall lose and forfeit for every such impotent begger that shall be suffered to begge within the said Towneship or parish, not being taken, ordered and punished according to the forme of this statute, iii. s. iiii. d. and for every strong begger that shall happen to beg within any such Towneship or parish not being taken and ordered, as is above limited by this statute, vi. s. viii. d. the one halfe of all which forfeitures to be to the king our Sovereign Lord, and the other halfe to him that will sue for the same, by any bill of information before the kings Justices of his peace in their generall Sessions to be holden within the Shire, or within the libertie where such default shall happen. And that all Justices of peace within any Shire, Citie, Borough, or Libertie, shall have full power and authoritie, as well to heare and determine every such default by presentment, as by such bill of information, and upon every presentment afore them, and upon every such bill of information to make processe by distresse against the inhabitants of every such towne and parish where any default shall be presented or supposed by any such information. By authoritie of which distresse the Sherife or other officer to whom by the law such distresse shall be made, shall distreyn the goods and cattals of such one or two of the said inhabitants, as he may have knowledge were most negligent & in default in the execution of this Act, And the said distresse retain till they finde suretie to appeare at the next sessions limited in their said distresse, and in case they appeare and confesse the default, or else if they traverse the presentment, and it be tryed against them by verdict, or denie the information, and it be proved against them by sufficient witnessse, then the said Justices of peace in their sessions, shall have authoritie to assesse the fines as been above limited, after the rates abovesaid, and to make processe for the levying of the same by distress, of the inhabitants of such townes or parishes where such default shall be tried or proved, And that everie such fine if it grow by presentment, to be onely to the kings use: and if it grow by information, then the moytie thereof to be to him that pursueth the information

information for the same and the other moztie thereof to the Kings use
as is aforesaid, And if any such person or persons distrayned appeare
not at the day and place containd in such distresse, then upon the
return of the sherife, or other officer to whome the distresse was deliber-
ed to execute, that such person or persons were distrayned, then euerie ^{penaltie for}
such person or persons so distrayned, at the first distresse shall lose xl. d. ^{pearing}
and at the second vi. s. viii. d. and so to be doubled upon euerie distresse
in such cases to be awarded, till appearance may be had by one of the in-
habitants of such towne or parish to denie traverse, or confesse the pre-
sentment or information exhibited against any such towne or parish,
to the intent that upon trial or proof thereof, the fines aboue limited,
may be assessed and levied of the inhabitants of euerie such towne or
parish, as is aboue rehearsed. And be it enacted by the authoritie, aforesaid,
That schoolers of the Universities of Oxford and Cambridge that ^{scholers &}
goe about begging, not being authorized under the seal of the said ^{shipmen}
Universities by the Commissary, Chancellor, or Vicechancellor of the ^{not habeing}
same, and all and singular shipmen pretending losses of their ships and ^{letters seal-}
goods of the sea, going about the country begging, without sufficient ^{ed to have}
authority witnessing the same, shall be punished and ordered in maner ^{like punish-}
and forme as is aboue rehearsed of strong beggers. And that all Proc-
tors and pardoners going about in any country or countries without
sufficient authoritie, & all other idle persons going about in any coun-
try, or abiding in anie Citie, borough or towne, some of them using ^{persons}
diverse and subtil, crafty and unlawfull gaines and playes, and some ^{using un-}
of them fayning themselues to have knowlege in phisicke, phisnomy, ^{lawfull}
Palmerstry, and other craftie sciences whereby they bear the people in ^{gaines}
band that they can tell their destinies, diseases and fortunes, and such ^{and playes}
other like fantasticall imaginations, to the great deciet of the Kings. ^{and faining}
subjects, shall upon examination had before two Justices, of Peace ^{skill in}
whereof the one shalbe of the Quorum, if he by probable witness be found ^{phisnom?}
guilty of any such deceits, be punished by whipping at ii. daies together
after the manner before rehearsed: and if heeftsones offend in the said
offence, or in any like offence, then to be scourged ii. dayes and the third
day to be put upon the pillory from ix. of the clock till xi. before noon
the same day, and to have one of his eares cut off: and if he offend the ^{how to be}
third time, to have like punishment with whipping, standing on the ^{punished}
pillory, and to have his other ear cut off. And that Justices of Peace,
have like authority in euerie liberty and franchise within their shires,
where they be Justices of Peace, for the execution of this Act in euerie
part thereof, as they shall have without their liberty or franchise. Also
it is further enacted that this act shall euerie yeare be read in open
sessions, to the intent that the said statute shall be the more feared, and
the better put in execution. And furthermore be it enacted, That if any ^{this statut}
person or persons, at any time hereafter give any harbour, mony, or ^{to be read}
lodging to any beggers being strong and able in their bodies to worke ^{once a year}
which order themselves contrary to the forme of this statute that ^{nt euerie}
euerie such person so doing, being sufficiently proved or presented before ^{sessions}
any Justice of Peace, shall make such fine to the King, as by the discre-
tion of the said Justice of Peace, at their generall sessions shall be assessed, ^{harbours}
And if any person or persons doe disturb or let the execution of this act ^{of such}
in any maner wise, or make rescous against anie Mayor, sherife, baylife, ^{beggers to}
other person that shall endeavour himselve for the due execution thereof ^{make}
it is then enacted, that euerie such person and persons, for euerie such ^{fine to the}
offence doing shall lose and forfeit Hundred. s. and ober, that to have ^{King}
imprisonment at the Kings will, the one halfe of which forfeite if

the di-
strubers
in the exe-
cution
of this Act
to forfit fibe
pound

such offence be committed in any citie or towne corporate, to be to the Mayor Sherife, baylife or other head officers of such citie or towne corporate, where any such offence shall be done, to the use of the comminalty of every such citie or town corporate, & if it be committed ou of the Citie or towne Corporate, then the said one halfe to be to the Lord of the Leet or Lawday where such offence shall be done, and thother halfe of every such forfeyte. to be to the King our soveraign Lord, for the which forfeyte. of v. li. recoverie shall be had by action of debt, bill, plaint, or information in any of the Kings courts, in which suits the defendants shall not wage their law, nor have any essoin or protection allowed. Provided alway, that this Act, nor any thing therein conteyned, shall be hurtfull or prejudiciall to the Barons, or other inhabitants of the five ports, or of their members, neyther to any graunt, libertie, or franchise heretofore made by the King our soveraigne Lord, or any his progenitors Kings of England, to the said Barons, or other inhabitants, their auncellors, predecessors, or to any of them. And that it be enacted by authoritie of this present Parliament, that all and every Mayor and Mayors, and Baylife and Baylives, elective and elected by the commons & inhabitance of every towne and place of the said ports and members. And also Jurates of every the said townes and places of the said Ports and members shall have like authoritie within every such towne and place, where they or any of them be or shall be, Mayor, Baylife or Jurate, to put or cause to be put, this Act in due execution, as the Justice of Peace in any county of this Realme have or shall have authoritie and power by this Act to doe, where they be Justices, and that the inhabitants within every Towne within the said Ports, shall be bounden to the execution of this Act, like as other inhabitants be without the said ports, upon like paine as is above remembred. And if any person or persons which shall inhabite within the said five portes or members, be impotent, or other idle person, do hereafter beg without the said five Ports or members of the same contrary to this Act, that then every such person shall be ordred and punished according to this Act: any thing in this proviso to the contrary notwithstanding. And it is ordeyned and enacted, that the seales above rehearsed, shall be made at the costs and charges of the Justices of Peace, Mayors, Sherifs, Baylives, and other officers above written on this Ade the feast of the nativitie of St. John Baptiste next comming, that is to say, that every of them, shall do the said seales to be made within the limites of their divisions, jurisdictions and authorities. And it is also ordeyned and enacted, that every letter to be made, by the authoritie of this Act, whereby any impotent begger shall be authorized, and assigned to begg, shall be made in this form ensuing:

at whose
charge the
seal shall
be made

the forme of
the letter to
begge

¶ Kanc. ff. ¶ Memorand that A. B. of Dale for reasonable considerations is licensed to begge within the Hundred of P. B. and L. in the said countie. Given under the seales of that limit. Tali die & anno.

And that every such letter that shall be made and delibered to such begger or vagabond, after he hath been tobiped by authoritie of this Act, shall be made in this wise following.

the forme
of the letter
after
punishment

¶ Kente. ¶ J. S. whipped for a vagrant strong begger, at Dale in the said countie, according to the law the xii. day of July in the xiii. year of King Henry the eight, was assigned to passe forthwith, & directly from thence to Sale in the county of Middlesex where he saith he was born (or where he last dwelled by the time of three yeres) And he is committed to be there within xiiii. dayes next ensuing at his perill (or within such number of dayes, as to him shall be limited by the discretion of the

the maker of the said letter) In witnesse whereof, the seal of the limit of the said place of his punishment hereunto is set. And it is enacted, that every such letter shall be made at the equall costs of such the said Justices, Mayors, Sherifes, Baylives and other officers, within whose jurisdictions, powers, and authorities the said begger or vagabond shall be whiped or limited to begge in, by authoritie of this Act, And every such letter shall be subscribed with the hand of one of the said Justices, Mayors, Sherifes, Baylives, or other officers, in this forme following: Per me A.B. unum Iusticiariorum pacis, or majorem Civitatis, or Ballivum villæ, or Contabularium talis Hundredi, or else in like forme in English.

And it is further enacted, that every such person and persons, as have the custodie of any Gaoles within any Shire, Citie, Borough, or towne corporat on this side the feast of S. John the Baptist shall doe make a seal engraved with the name of the Castle, prison or gaol which hee keepeth. And in case any person or persons, that at any time after the said feast of Saint John shall be delivered out of any Gaol or prison for suspicions of felony by proclamation, or be acquit of any felony, and hath no friends to pay his fees, nor was born within the hundred or place where he shall happen to be so delivered, nor can get him no Master there to abide and work with, shall have liberty to begge for his fees by the licence of his keeper by the space of six weekes, next after such deliverance, and after that, to be compelled to go to the hundred where he was born, or last dwelled, by the space of three yeeres, within such time as shall be limited by one of the Justices of Peace, Mayors, Sherifs, Baylives, or other officers where such deliverance shall be had. And it is enacted, that every such person so delivered, shall have a Letter made to him by the clerk of the peace of the Shire, within the which he was delivered, if he be delivered within the Shire: And if he be delivered in any Citie, Borough or Town corporat, then he to have a letter of the common clerk of every such Citie, Borough or Town, where he is delivered, every such letter witnessing the day of his deliverance, and the place where he was delivered, and before whom, and the time appointed to him to begge for his fees, and the place to the which he shall be assigned to repaire unto, in case he can get no master to fall to work, where he was delivered. And to every such letter the said Gaol or keeper of prison out of the which such person shall be delivered, shall put the seal limited to be made, as is aforesaid, for the said prison, and that every such letter shall be made in this wise following.

¶ Essex. ff. ¶ The xx. day of July. Ann. Regni Regis Henr. 8. 23. J. S. was delivered for felony out of the gaol of D. in the said county, at the sessions holden afore J. B. and his fellowes at Sale, the day and year aforesaid and is allowed to begge for his fees by the space of six weekes. And in case he can get him no Master to worke within the said term, then he is assigned to passe directly to D. in the countie of Kent, where he saith he was borne, or last dwelled by the space of three yeares And he is allowed xiiii. dayes next after the said six weekes for his passage thither (or such number of dayes as to him shall be limited by the discretion of the maker of the said letter) In witnesse whereof the seal of the prison from the which he was delivered, thereunto is set. And in such shires where there is no Gaol, the Sherife thereof for the time being shall cause a seal to be engraved with the name of the Shire, and shall order and use the same seal to and for such persons delivered, as is aforesaid, after like manner and forme as the Gaoler or keeper of the gaol is limited and appointed to doe by this Act, And it is also enacted that every Clerk of the peace of the Shire within the which such

person shall be delivered, and every common Clerke of every Citie, Borough, or towne corporat, within the which any such person shall be delivered shall make for every such person as shall be so delivered where they be such officers the said letter in form abovesaid, without any fee taking for the same, and shall deliver every such letter to the gaoler or keeper of the prison from the which such person shall be delivered. And if there be no gaol there, then to the Sherife of the shire where such deliverance shall be had within one day next after the end of the sessions, where any such deliverance is had upon paine to lose and forfeit for default of everie letter xii. d. to the king our Sovereign Lord. And that the Gaoler or keeper of the prison from the which the said person shall be so delivered, and in case there be no Gaole, then the Sherife of the shire where any such deliverance shall be had, shall not suffer any such person to goe abroad, to begge for his fees, nor depart out of prison, except it be to service or labour, unlesse the same Gaoler or Sherife first deliver to the said person the said letter, contayning his name sealed with the seal of the prison from the which he shall be delivered, or else with the seal engraved with the name of the shire, if there be no prison, upon paine for every default to lose xii. d. to our said Sovereign Lord. And it is enacted that if any person or persons so being delivered out of prison, at any time after the said feast, doe begge not having the said letter sealed in forme abovesaid, or begge contrary to the tenour of the same letter, that then he shall be taken,

if they begge
without let
ter or con
trary to the
tenour to
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punishment
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beggars

lawfull to
give Almes
or doles at
burialls

or dried and whipped in every behalfe, like as is above appointed for strong beggars, and that to be done and executed by such as be above limited to doe the same upon strong beggars, and in such wise, and upon such paine as is before limited for non execution of the punishment of strong beggars. Provided alway, that it be lawfull to every person & persons being bounden by reason, of any foundation or ordinance to give or distribute any money in almes, and also to everie person and persons at common doles used at burialls or obytes to give and dispose in almes any money to every person and persons coming to such almes or doles, after like maner and forme as they have been accustomed to do in that behalfe before the making of this Act, without any danger or penalte of this statute: any thing conteyned in this present Statute to the contrary hereof notwithstanding. Provided also that it be lawfull to all Masters and governours of Hospitalls to lodge & harbour any person or persons of charitie or almes, according to the foundation of such Hospitalls, and to give money in almes in as large maner and forme as they are bounden, or owne to doe: any thing in this Statute to the contrary hereof not withstanding.

Statuta, Ordinationes & Actiones in Parlamento predicto apud Lymericum decim quint die Februarij dicto an. tricesimo tertio coram prefato deputato similiter tento edit in hæc verba. an. dom. 1542

CAP. I.

An Act for the adjournment of the Parliament, and the place to hold the same, and what persons shall be chosen Knights and Burgeses. Rot. Parl. cap. 2.

who shall be
of the Par
lement and
where it
shall be held

FOrasmuch as in sundry Parliaments holden in this Realm, it was enacted and established that amongst other things it was enacted and established by authoritie of Parliament, That no Parliament should be summoned, appointed holden, adjourned, or proroged in any citie, towne, or place within this Realm, but in Dublin or in Drogheda, ne that no Parliament should be proroged or adjourned

adjournd ober and above two times after the begining of the said Parliament, neyther that no Knight, Citizen ne Burgesse should be chosen in Parliament, but such as did dwell within the Counties, Cities or Townes where they be chosen. And that every such Knight should spend fortie shillings in fee simple, fee tayl, or freehold within the same shire where he is chosen (except the town of Drogheda) and every Proctor to bee within the same Diocesse, and if it bee any otherwise in any parte done, that all Acts and estatutes made in that Parliamant shall be voyd and of none effect, which Actes considering the distance of Borough townes and obedient Shires from Dublin and Drogheda where most commonly the Parliaments be holden and the dangerous and perilous passage by the way by thoccasion of the kings rebels, and that the tenor ne purport of the said Acts were not plainly ne openly known to the Kings subjects of this Realm, so as at divers Parliaments since the statuts holden & kept, the tenor of them might not be accomplished, in which Parliament, diverse Acts, both for the Kings honour and profite and wealth of this Realm, was ordayned, established, which should be greatly to the Kings losse, and to the dammage of the common wealth of this Realm, if by the said Acts any part of the said Acts should be aboyded. Wherefore be it enacted, ordayned and established by authoritie of this present Parliament, That all and every of the said Acts concerning onely the restraint of the summoning of the Parliament in any other citie, towne or place, but in Dublin or Drogheda and the proroging and adjourning of Parliament, ober and above two times after the beginning of any Parliament, and the choosing of the Knights, Citizens, and Burgeses, to be in Parliament, and every Proctor to be within the same diocesse in maner as is aforesaid, shall be from the time or times of the making of the same Acts, and any of them, voyd, frustrat and of none effect in law to all intents, constructions and purposes, the same former Acts, or any thing in them or any of them contained, to the contrary notwithstanding, 31 St 13
Ed cap 2
 Provided, and be it enacted by the authoritie of this present Parliament, that from henceforth everie Knight, Citizen and Burgesse for every Parliament hereafter within this Realm of Ireland to be summoned, appointed or holden, shall be resiant and dwelling within the counties cities and townes, chosen and elected by the greater number of the inhabitants of the said counties, cities and townes, being present at the said election, by vertue of the Kings writs for that intent addressed. And also the said Knights to be elected and chosen in maner and forme before rehearsed. And every electour of the said Knights to dispend and have lands and tenements of estate of freehold within the said counties, at the least to the yearly value of fortie shillings over and above all charges, and every of the inhabitants aforesaid choosing or electing in any other manner then as before is mentioned, to forfeit an hundred shillings, the moeytie thereof to our Sovereign Lord the King, his heyres and succellours, and the other moitie to any that will sue for the same by action of debt, bill, information or otherwise in any court of record, wherein no esloine, protection, or waiger of law to be admitted or allowed. And every Sheriffe or other officer retourning any Knight, Citizen or Burgesse chosen or elected in any other maner then as is before expressed, to forfeit an hundred pounds to be had and recovered as before is specified. And every Knight Citizen and Burgesse taking upon him or them to bee Knight, Citizen, or Burges, and not chosen nor elected in manner and forme as is before mentioned, to forfeit an hundred pounds, to bee forfeited, recovered and taken that they
shall be re-
siant within
the county
cities and
townes
every knight
to have 40 s
freehold
within the
county
libe li.
penalty for
every man
that elects
otherwise
100 li penalty
if the officer
returne in
other maner
for
the party
elected 10
in 1021 a 100

in manner and fourme befoze rehearsed.

CAP. II.

An Act for the election of the Lord Iustice. *Rot. Parl. cap. 3.*

howe the lord
iustice was
used to be
elected

FOr asmuch as continually sithens the conquest of this Realm of Ireland it hath been used in this same Realm of Ireland, that at everie such time as it hath chaunced the same Realm to be destitute of a Lieutenant, Deputie, Justice, or other head Governour by death, surrender, or departure, out of the same Realm, or otherwise, the counsell of this Realm of Ireland for the time being, have used by the lawes and usages of the same, to assemble themselves together, to chosse and elect a Justice, to bee the ruler and Governour of this Realm, till the Kings highnesse had deputed and ordayned a Lieutenant, Deputie or other Governour, for the same Realm, which Justice so being elected was and hath been alwayes, by the ancient lawes and customes of this said Realm of Ireland authorized, to doe and exercise the said roome of Deputie there, for the good rule, governance and leading of the Kings subjectes within the same Realm of Ireland, and in ministracion of Justice with divers other authorities, prebeminences, and jurisdictions there, which usage, election and authoritie of the said Justice hath been many times ratified and confirmed by divers estatutes in this Realm provided and made. That notwithstanding at a Parliament holden the Monday next before the feast of Saint Andrew the Apostle the tenth year of the reign of the most noble Prince of famous memorie King Henry the seventh, amongst other things, it was ordeyned and enacted, as it should seem for some private affection, that immediatly after such aboydance of any of the said Lieutenantes, Deputie, Governour, or Justice within this Realm of Ireland the Kings highnesse Lord Tresaurer of this his Realm for the time being, should bee Justice and Governour of this his said Realm, unto such time that his highnesse had ordayned, made and sent his Lieutenant or Deputie, into this his said Realm of Ireland. & that all other Letters, patents prescriptions, and usages of the election of the Justice at or after any such aboydauce should bee cleerely dampned, repealed and of none effect, which Act at another Parliament then after holden at Dublin in the xiii. year of the Reign of the said late King Henry the seventh for divers considerations mischiefes and inconveniencies then appearing, was by authoritie of the same Parliament adnihilated repealed, made voyd and of none effect, the Rolle of record of which Parliament by some sinister meanes was imbeaseled and by no meanes now can be found, by reason whereof divers ambiguities and doubttes upon the election of the Justice of this Realm upon everie such aboydauce and upon his authoritie hath and yet doth daily arise and groweth in this Realm. For the remedie whereof and establishment of a certain order to be had for the election of the Justice within this Realm at every such aboydauce and his authoritie. Be it enacted and established by authoritie of this present Parliament, That immediatly upon the aboydauce of every the Kings Lieutenants, Deputie or Justice of this Realm by death (surrender of their letters patents) or office, departure out of this Realm, or for any other cause, the Kings Chauncelloz of this Realm or keeper of his Graces great Seal for the time being, shall by the kings writ or writs call and assemble together at such place as the said Chauncelloz or keeper of the great Seal shall think convenient the Kings counsaylours being inhabiting or dwelling in the shires of Dublin, Wieth, Louth, Kildare, Kilkenny, Tipperarie, Wierford, Waterford, Corke, Kerv,

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counsellors

Kery and Lymeryke for the assembly of the said counsaylors, which of
 them so assembled, shall by authoritie aforesaid have full power and
 authoritie by vertue of this Act to elect and chuse one such person as
 shall be an Englishman, and born within the Realm of England be-
 ing no spirituall person, to be Justice and governour of this Realm of
 Ireland, during the Kings highnesse pleasure, if there shall be at that
 time any such person within this Realm, that shall be able, meet and
 convenient for the same room or office and for the use and exercise
 thereof. And if there be no such person then within this Realm, then
 they to elect and chuse two persons of the said counsell of English
 blood and surname, being no spirituall persons whom they shall think
 meet able and convenient to be Justice and governour of this Realm
 of Ireland, during the Kings highnesse pleasure upon which election
 so by them or the more part of them had and made, as is aforesaid, the
 Chancellour or the keeper of the great Seal of this Realm for the
 time being shall by authoritie aforesaid according to the ancient usage
 make letters patents to the person or persons so elected under the Kings
 great seal of Ireland, of, for, and concerning the room of Justice
 of this Realm of Ireland, which person or persons being so elected as is
 aforesaid, after he or they be solemnely sworn according to the auncient
 usage in this Realm, shall have, use and enjoy like authoritie,
 preheminance, and dignitie to every purpose and respect as the Kings
 lieutenant or deputie there next before him, being made by the Kings
 most gracious letters patents lawfully had, & used to have, hold possesse
 exercise and enjoy the said office of Justice or governour, with the said
 authoritie, preheminance, or dignitie unto such time as the Kings high-
 nesse, his heyres or successors doe admit and authorize one to be his
 Lieutenant, Justice, Deputie, or governour of this Realm, and unto
 such time as the said Lieutenant, Justice, Deputy, or governour so
 authorized doe take and receive his oath as hath been afore accustomed,
 or the Kings highnesse farther pleasure therein known by writing, and
 that by the same authoritie all other estatuts, prescriptions and usages
 of the election of Justice or governour of this Realm of Ireland, all other
 after any such aboydance & of any authoritie given or prescribed unto
 him or them at any time before the first day of this present Parliament
 other then by the Kings Letters Patents, be clarely dampned, ad-
 nihilated, repealed, revoked, made voyd and of none effect.

CAP. III.

An Act touching mispleading and jcoyfailes.

Rott. parl. cap. 4.

Forasmuch as the parties pleintifes and demaundantes in all
 manner of actions and suites, aswell real as personall, at the
 lawes of this Realm before this time hath been greatly delayed and
 bindzed in their suites and demaundes by reason of the craftie, subtilie,
 and negligent pleadings of the pleintifes or demaundants, defendants,
 or tenautes where any action or demand, hath been sued had or
 made, aswel in ministring of their declarations and barres, as also
 in their replications, rejoinders, rebutters joyning of issues and other
 pleadings to the great hurt, delaye and hinderance of the said plein-
 tifes or demaundantes, or the veration of the defendants or tenautes
 in so much, that when the issues joyned in the same actions betwene
 the parties to the same, hath ben tried & found by the verdict of twelve
 men or more for the said pleintifes or demaundantes, or for the te-
 nants or defendants, & the Justice or Justices, Judge or Judges readie
 to give judgement for the said parties for whome the said issue was
 found

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large au-
thority as
the kings
lieutenant

till such
times as the
Kings plea-
sure be
known

all other
prescripti-
ons of elec-
tion rep.

Engl. St. 32
H. 8. cap.
30.

Ir. St. 10.
Car. Cap. 12.

the severall
inconveni-
ances
which have
heretofore
collored by
delays of
suits

Cites 27.
 W. 8 32. ac 2.
 Par. Dp.
 112 p. 52.
 Cites Co. l.
 11 fol. 6. En
 que Sir Jo.
 Heydons
 case que
 issue erie de
 ins le de
 mandant
 le bouchee
 nest deins le
 remede de
 cest statute
 a bies que
 coment le
 plea quant
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 soit di sco
 inue a verdit
 done par le
 restiue le
 pl. abera
 judgment
 ibid fol. 7.
 Cites 7.
 Eliz.
 Dper. 231
 & 20 Eliz.
 Dp. 363.
 forfeitures
 for not entr
 ing the
 warrants
 of attorney

found, the same parties hath been compelled by the course and order
 of the lawes of this Realm afore this time, to replead, and the said
 verdict so given as is aforesaid to be taken as voyd and of none effect
 sometimes because that the issues hath been misjoyned and jeofaile
 and sometimes by taking advantage of the parties owne mispleading
 or in the pursuing, misconveying or discontinuing of processe of any of
 the parties, and for divers other causes, the which is thought aswell a
 great sleaundler to the said law of this Realm, and to the ministers of
 the same, as also a plain delay and hinderance unto the said parties
 in that they should have their judgements when the issue hath bene
 found, and tried as is aforesaid, to their great costes and charges, Bee
 it therefore enacted by the King our Sovereign Lord, the Lordes
 Spirituall and Tempozall, and the Cominons in this present Parlia
 ment assembled, and by the authoritie of the same, that from hence
 forth if any issue be tried by the verdict of twelve men or mo, for the
 partie plaintife or demaundant, or for the partie of the tenaunt or de
 fendant in any manner action or suit in the Kings Bench, Common
 place, Exchequer, or before the Justice of Assize that then the Justice
 or Justices, Judge or Judges by whom judgement thereof ought
 to be given, shall proceed and give judgement in the same, any
 mispleading, lacke of colour, insufficient pleading or jeofaile, any
 miscouncontinuance or discontinuance or misconveying processe mis
 joyning of issue, lack of warrant of attorney for the partie against
 whom the said issue shall bee tried notwithstanding, and the said judge
 ments thereof so to be had and given, shall stand in full strength and
 force to all intents and purposes, according to the said verdict with
 out any reversall or undoing of the same, by writte of error, in like
 forme as though no such default or negligence had never been had or
 committed. Provided alway and be it enacted, by authoritie aforesaid,
 in a voyding of errors and other great inconveniences, that daily doe
 fortune to rise and grow in the kings said Courts within this Realm,
 through the negligence of attorneys, because they deliver not their war
 rants of attorney in such actions or suits wherein they be named attor
 ney, according to the lawes of this Realm That all and every such per
 son and persons which shall fortune hereafter to be attorney, to or for a
 ny other person or persons being demandant or plaintife, tenant or de
 fendant in any action or suit at any time hereafter commenced or
 taken in any of the Kings said courts, and plead to any issue in the
 same action or suit, that then every the same attorneys and every of
 them from time to time, shall deliver or cause to be delivered his
 or their sufficient and lawfull warrant of attorney, to be entred of re
 cord for every of the actions or suites wherein they be named attor
 neys, to the officer or his deputie ordeined for the receipt and writing
 thereof in the same term, when the said issue is entred of record in the
 said court, or afore upon paine of forfeiting unto our said Sovereign
 Lord, ten pound sterling, for every default for non delivery of the said
 warrant of attorney, and also further to suffer such imprisonment by
 the discretion of the Justices or Judges of the Court for the time being,
 where any such default shall fortune to be had or made, shall be thought
 convenient. Provided alway and be it enacted by authoritie aforesaid
 that no person ne persons that now is, or hereafter shall be within
 this Realm, except the partie plaintife or demaundant, tenant or de
 fendant shall be admitted or allowed as a pleader in any of the kings
 four principall Courts within this his Gracious Realm, in any cause
 or matter whatsoever it be, or yet to make or exhibite to or in any of
 the said four Courts, any declaration or bill, plea in barr, replica
 tion

tion or rejoynder or to give evidence to any Jury unlesse it bee for the Kings Majestie or to argue any matter in law, or yet to doe or minister any other thing or things in any of the said four Courtes, which customably hath been used to be done by one learned or taken to be learned in the Kings lawes but such person and persons as hath or shall be for the same at one time or severall times by the space of yerres compleat at the lest demurrant and resistant in one of the Innes of court within the Realm, of England, studying, practising or indeavouring themselves the best they can, to come to the true knowledge and judgement of the said lawes, upon pain of an C.s. to every person or persons offending contrary to the proviso last before specified or any things therein contayned. Provided alway and be it enacted, by authoritie aforesaid, that this Act, or any thing or things therein contayned shall not extend to bind any Justice or Justices Judge or Judges to give judgement in any suit, action, cause or matter depending or to bee depending between the Kings Majestie his heires or successors, and any of his or their subject or subjects, ne that no such erroneous judgement upon the said defaults, negligence or omission to be given against his highnesse, his heires or successors, shall otherwise bind his grace, his heires or successors, or any of them, but as the same should have don before the making of this present Act or any thing or things therein contayned to the contrary in any wise notwithstanding. Provided also that this Act or any thing therein contayned, doe not extend to any exception or exceptions to be moved before any Justice or Justices, Judge or Judges, and not allowed by them or any of them, whereupon a bill thereof shall be sealed or refused to be sealed but the same to stand and be of & in the same force effect condition & maner as it was before the makinge establisshment of this present act: any thing mentioned in this act to the contrary notwithstanding. This present Act with the provizoers to endure til the last day of the next parliament. *revised per, 1 el: cap: 5. & made perpetuall*

C A P. IV.

An Act for Lands given by the King. *Rot. Parl. cap. 5.*

Where our Soberaign Lord the Kings most excellent Majestie, for the reliefe and fortification of this his highnesse realm of Ireland having respect to the great lack of nobilitie or men for honour now within the same, of his most kingly benevolence hath created, erected, and enabled and hereafter intendeth to create, name, erect and enable divers persons unto names of honour and dignities within this his said Realm, induing them with divers possessions and hereditaments, and to others freely have also disposed and hereafter intendeth to dispose others his graces possessions, lands, tenements and hereditaments within the same Realm, albeit that upon any disoyaltie or disgressing contrary to the duty of a subject, by any of these to whom his highnesse hath so benignly graunted and given and such benefit, or hereafter shall give and graunt any manner, such honour, stile name, and dignitie, lands, lordshipes, possessions, annuities, or any other profits, commodities or other hereditaments, being therefore duely condemned according to the due order of his highnesse lawes, shall be sufficient title, right and interest for his highnesse to seise, again into his Majesties hands, all maner such things premised so to fore disposed, yet for the more open declaration of the same to the world and that the same grauntees and donees being hitherto very ignorant in the knowledg of the duty of a subject, may be before their eyes alway, not onely the most gracious liberalities and benevolence of his highnesse, but also their duties plainly expressed in his graces letters

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ters pattenis by sufficient words implying & purporting the same grauntoz gift to bee alway knit with that condition, whereby they shall pretend no ignorance in the performance of their dutie therein. His majestie is pleased therefore, & contented that it be enacted, ordeyned & established by his highnesse, with the assent of the Lords spirituall and temporall and the commons in this present Parliament assembled, and by the authoritie of the same, That if any person or persons of what estate, dignitie, degree or condition they or any of them be, or their heires, or the heires of any of them, or any other having their estate or any part of their estate, or the estate of any of them in any name, stile, honour, title, dignitie, degree, annuitie, lands, tenements, or any other hereditaments, or in any part or parcell thereof so by his highnesse heretofore freely given, or hereafter to be graunted or given freely to any such person or persons do make any confederation which the lawe declareth to be treason, with any of his highnesse rebells against his Majestie, or attempt any wilfull warr or invasion against his Majestie or against his true & faithfull subjects, or by any other meane doe transgresse in any part their duty of allegiance, which the lawe declareth to be treason, or do not performe such covenants and pacts which shall be comprised within the said letters pattenis, as they or any of them by their or his owne assent or assents have or shall make covenant, agree and promise to performe with his highnesse Deputie and counsell of this Realm or the more part of them for the time being, at such time as they or any of them have or shall have, receive and except any such gift or graunt of his highnesse, or his heyres or successours Kings of England as is before expressed, and the same being so proved and adjudged by the due order of his Majesties lawes whereby the partie therein is or shall be condemned, that then every such person or persons shall lose and forfeit all such right interest and estate, as he or they so offending and thereof condemned in maner and form before said or any other person or persons leysed to their use or uses, shall have in any name or names, honour or honours, dignitie or dignities, landes, tenements, or other hereditaments, by force of any such graunt or graunts heretofore made, given or graunted by his highnesse, or hereafter to be made graunted and given by his Majestie, his heyres or successours Kings of England. And be it also further enacted by the same authoritie, That in all gifts and grauntes hereafter to be made, given or graunted freely by his highnesse, his heyres or successours to any person or persons of any name, stile, honour, title, estate or dignitie, landes, tenements or hereditaments, within this his Graces Realm, these wordes following, or words of like effect shall alway be mentioned and expressed within every the sayd giftes or grauntes, that if the same person or persons unto whome the same gift or graunt giftes or graunts shall bee so made: or anie of his heyres or assignes having his estate in the same or any part or parcell thereof doe from henceforth make any confederation with any of his highnesse rebells or enemies, against his Majestie as is before rehearsed, or attempt any wilfull warr, invasion or destruction against his Majestie, or his true faithfull and obedient subjects, or by any other mean doe transgresse anie part of his or their duties of allegiance which the lawe declareth to bee treason, and thereof shall bee condemned by the due order of his highnesse lawes, his heyres or successours, or doe not performe such promise, agreement, graunt or pacts as they or anie of them shall make, contract and agree with his Graces said Deputie and the secret counsell for time being present, mentioned & appearing within the said Letters

Letters patents, that then the same person or persons so condemned in manner and forme before rehearsed, shall lose and forfeit to our said Sovereign Lord his heyres and successours all such title interest possession as hee or they shall have and clayme by force of any such graunt unto him or them or to their Auncellours, or to the Auncellours of any of them, or to any other whose estate or estates he or they shall so have in any such honor, name or dignitie, lands, tenements, or hereditaments, or any parcell or parcells thereof: any matter, cause thing or things comprised in any such graunts or gifts notwithstanding. Provided alwayes, that all other forfeitures for treasons shall bee labed to the Kings highnesse his heyres and successours, as they were afore the making of this Act.

CAP. V.

An Act for the suppression of Kylmaynham and other religious houses.

Rott. Parl. cap. 6.

V Whereas Sir John Rawson Knight, late Pryour of the priory or hospitall of Saint Johns Jerusalem in this the Kings highnesse Realm of Ireland, and other divers and sundry Abbottes Pryors, Abbelles, Priozelles, and other ecclesiasticall governours and gobernelles of divers Monasteries, Abbeyes, Pryories, Nunries, Colledges, hospitalls, houses of friers, & other religious & ecclesiasticall houses & places within our sovereign Lord the Kings Realm of Ireland, of their owne free & voluntarie mindes & assents, without constraint, coaction, or compulsion of any manner person or persons sithence the fourth day of Februarie in the seven & twenty year of the raig of our most now dzed sovereign Lord, by the due order & course of the common lawes of this his said Realm of Ireland, & by sufficient writings of record under their convent and common seales have severally given graunted and by the same their writings severally confirmed all their said Hospitals, Monasteries Abbeyes, Pryories, Nunries, Colledges, Hospitalls, Commaundries, houses of friers, and other religious and ecclesiasticall houses and places and all their Scites Circuits and precincts of the same and all and singular their Mannours, Lordshippes, Commaundries, Meluages, Lands Tenements, Meddowes, Pastures, reverfions, rents, services, Woods, tyethes pensions, portions, churches, chappels, advowfions, parsonages annuities, rights entries, conditions, commens leetes, courts, liberties, priviledges and fraunchises, apperteyning or in any wise belonging to any such Hospitall, Monasterie, Abbey, Priory, Nunry Colledge, Commaundry, house of friers and other religious and ecclesiasticall houses or places or to any of them, by whatsoever corporation, name or names, they or any of them were then named or called, and of what order habite, religion or other kind or qualitie soever they be, or any of them then were reputed, knowne, or taken, to have and to hold all the said Hospitals, Monasteries, Abbeyes, Priories, Nunries, Hospitalls: Commaundries, houses of friers, and other religious and ecclesiasticall houses and places, scites, circuits, precincts, mannozs, lands, tenements, meddowes, pastures, rents, reverfions, services, and other the premisses to our said sovereign Lord the King, his heyres and successours for ever and the same their said Hospitals, Monasteries Abbeyes, Priories, Nunries, Colledges, Hospitalls, Commaundries houses of friers: and other religious and ecclesiasticall houses and places, Scites, circuits, precinctes mannozs, lordshippes, commaundries, graunges, meluages, landes tenements, meddowes, pastures, rents reverfions, services, and other the premisses voluntarie as is aforesaid,

Recital of
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Grant of
all Abbeyes
sc. to sur-
rendred for-
taken sc.
for ever to
his Maistie.

In as large
maner as
the Abbots
sc. held
them.

Grant of
all other
Abbeyes sc.
which shall
be left sc.

have renounced, left and forsaken, and every of them have left, re-
nounced and forsaken, Be it enacted by the King our Soberaign Lord,
and the Lords spiritual and tempozal, and the commons in this present
Parliament assembled, and by authority of the same, That the King
our Soberaign Lord shall have, hold, possed, and enjoy to him, his
heyzes and succellours for ever the said late Hospitall of Saint Johns
Jerusalem in this Realm, and all and singular such late Monasteries
Abbeyes, Priories, Nunries, Colledges, Hospitalls, Commaundries,
houses of Friers, and other religious and ecclesiasticall houses and
places, of what kind, nature, quallity, diversite of habits, rules, pro-
fessions, or orders, they or any of them were named, knowne or called
which sithence the said fourth day of Februarie in the said seven and
twentie year of the raign of our said Soberaign Lord, have been
dissolved, suppressed, renounced, relinquished forseyted, given up or
by any other mean come or ought to come, or bee to his highnesse, & by
the same authoritie and like maner shall have hold, possed & enjoy all the
Scities, circuites, precinctes, mannours, Lordshippes, Commaundries
Graunges, masuages lands, tenements, meadowes, pastures
Rentes, Reversions, Services, Woods, Tythes, Pensions, Portions
Parsonages, appropriate Vicarages, Churches, Chappels, and Advow-
sons, Prominations, Patronages, Annuities, Rights, Interests En-
tries, Commodities, Conditions, Commons, Leetes, Courts Liberties,
Priviledges Franchises and other whatsoever hereditaments, which
apperteyned or belonged to the said late Hospitall, Monasteries, Abbeys
Priories, Nunries, Colledges, Hospitalls, houses of Friers, and other
religious and ecclesiasticall houses and places, or to any of them in as
large and ample manner and forme as the said Sir John Rawson
late priour of the said Hospitall of the said Saint Johns Jerusalem
in Ireland, and the late Abbots Priours Abbelles, Prioresses, Com-
maundours, and other ecclesiasticall governours & governesses of the
said late Hospitall, or of such late Monasteries, Abbeyes, Priories, Nun-
ries, Colledges, Hospitalls, Commaundries, houses of Friers and other
religious or ecclesiasticall houses or places had, held, or occupied or of
right ought to have had, holden or occupied in the right of the said
late Hospitall, Monasteries, Abbeys Priories, Nunries, Colledges,
Hospitalls, houses of Friers, or other religious or ecclesiasticall houses
or places at the time of the said dissolution suppression, renouncing
relinquishing forseyting, giving up, or by any other manner of meanes
comming of the same to the Kings highnesse sithence the said
fourth day of Februarie abobe specified. And it is further enacted by
authoritie aforesaid, That not onely the said late Hospitall Monasteries
Abbeyes, Priories, Nunries, Colledges Hospitalls, Commaundries,
houses of Fryers, and other ecclesiasticall and religious houses and
places, Scities, Circuits, Precincts, Mannours, Lordshippes, Graun-
ges Meluages, Lands, Tenements, Meadowes, Pastures, Rents
Reversions Services, and all other the premilles forthwith and im-
mediately, and presently, but also all other Monasteries Abbeyes Pri-
ories, Nunries, Hospitalls, Commaundries, houses of Fryers, and
all other religious houses, and places which hereafter shall happen to
bee dissolved, suppressed, renounced, relinquished, forseyted, given up,
or by any other manner of meanes come to the Kings highnesse and
also all the Scities Circuits, Precincts Mannours, Lordshippes, Com-
maundries Graunges Meluages, Landes Tenements, Meadowes,
Pastures, Rents Reversions Services, Woods Tythes, Pensions,
Portions, Parsonages, appropriate Vicarages, Churches, Chappels,
Advowsons

Adowls, Pominations, Patronages, Annuities, Rights, Interests,
 Entries, Conditions, Commens, Lets, Courts Liberties, Fraunchises,
 And other hereditaments whatsoever they be, belonging or appertain-
 ing to the same, or to any of them, whensoever and as soon as they shall
 be dissolved, suppressed, renounced, relinquished, forfeited, given up,
 or by any other mean come unto the Kings highnesse, shall be vested,
 deemed and adjudged by authoritie of this present Parliament in the
 very actual and real seyson and possession of the King our Soberaign
 Lord, his heyres and successours for ever, in the state and condition as
 they now be, and as though as well the said late Hospital, and the said
 late Monasteries, Abbeyes, Priories, Puntries, Hospitals, Commaun-
 dries, houses of Friers and other religious houses and places dissolved,
 suppressed, renounced, relinquished, forfeited, given up, or come to
 the Kings highnesse, as is aforesaid, as also the said Monasteries Pri-
 ories, Puntries, Hospitals, Commaundries, houses of Friers, and other
 religious houses and places which hereafter shall happen to be dissolv-
 ed, suppressed, renounced, relinquished, forfeited, given up or come to
 the Kings highnesse, and the said Scites, Circuits, Precincts, Man-
 nours, Lordships, Graunges, Lands, Tenements, and other the pre-
 misses whatsoever they be, and every of them were in this present Act
 specially and particularly rehearsed, named and expressed by expresse
 words, names, titles and faculties, and in their natures, kinds and
 qualites: Saving to all and every person and persons and bodies poli-
 tique and their heyres and successours and the heyres and successours
 of all and every of them other then the sayd late Priour of Saint
 Johns Jerusalem in Ireland, and his successours, and the said late
 Abbottes, Priours, Abbesses, Prioresses, Commaunders, and other go-
 vernours and governesses of the said late Monasteries, Abbeyes, Pri-
 ories, Puntries Hospitals, Commaundries, houses of Friers, and other
 Religious houses and places, and their successours and the successours
 of every of them and such as pretend to bee founders, Patrons or Do-
 nours of the sayd Hospitall, Monasteries, Abbeyes, Priories, Punt-
 ries, Hospitals, houses of Fryers and other religious houses and
 places, or any of them or of any Landes Tenements, Rents Servi-
 ces, Parsonages, Tythes or other hereditaments to them or anie of
 them belonging, and their heyres and successours, and the heyres and
 successours of every of them, and also other then such person & per-
 sons their heyres & successours & every of them, which bee barred, & there
 whose right, title, interest & possession of or in the premises or anie part
 thereof bee not saved in the last Parliament heretofore holden within
 this Realm & other then the now Abbottes, Priours, Abbesses, Prior-
 esses and other governours and governesses of such Monasteries, Ab-
 beyes, Priories, Puntries Hospitals, houses of Friers, and other Re-
 ligious houses and places which shall hereafter happen to be dissolved
 suppressed, renounced, relinquished, forfeited, given up, or come to the
 Kings highnesse, and such as pretend to bee foundours, patrons and
 donours of such Hospitals, Monasteries, Abbeyes Priories, Puntries
 houses of Fryers, and other religious houses and places, or any Man-
 nours, Mesuages, landes, Tenements or Hereditaments to the same
 or to any of them belonging, and their heyres and successours, and
 the heyres and successours of every of them all such right title, clayme
 interest, possessions latofull entries, rent, charges, fee farmes, annui-
 ties, leases, offices, fermes, liberties livings, fees, portions, corrodies,
 commens, Synodes, Proxies and other profitables, which they or any of
 them have claime, may or might have had in or to the premisses or anie
 partcell

then they
 shall be
 dissolved
 they shall
 be in pos-
 session of the
 King

Saving to
 all men ex-
 cept the Ab-
 botts and the
 founders
 or donours
 of the ab-
 beys &c.

all rights

Rent ser-
vices & rent
seckes and
all services
and suits
out of the
premises
and this
saving re-
served

The king
not to re-
enter upon
any leases
made by
the abbots
or to they
pay rentes
or.

The rentes
services and
rentes
seckes, or
aforesaid
shall be paid
as a reward
out of the
Exchequer
from time
to time so
long as the
landes in
the Kings
possession.

When
the lands
are graunt-
ed or re-
vived or the
lessee, done
or graunte
to any them
their heires
and assigns
the land to
the king.

parcel or part thereof in such like tozrn maner & condition to all intents respects, constructions & purposes, as if this act had never been made, rents services, & rents seckes & all other services & suits which were due to be payed or done to any person or persons for or out of the premises or any part thereof only excepted & forepysed out of this clause of saving next above specified. Provided that this act or any thing therein conteyned shall in no wise extend to give benefit to our said sovereign Lord his heirs or successors for any reentry in of or upon the possession or possessions of any of the lessees, grauntees, their executors or assigns or the executors or assigns of any of them of any lands tenements, tyths, or hereditaments, demised, graunted or letten by any late Prior, Abbot, Prioresse or Abbess, or any other religious governour or governess to any person or persons, bodies politique or corporate, so that the same Lessees or Grauntees, their executors or assigns, or any of them doe tender or pay the rent or rents reserved upon the said leases or graunts at the receipt of our Sovereign Lord the Kings Exchequer of this Realm of Ireland, the day of their reentry comprised in their Indentures thereof made, or before the Kings Vicethesaurer for the time being, to the use of our said Sovereign Lord the King, his heirs or successors if the said Exchequer be then open if not the tender or payment of the said rentes to be made as is before mentioned within foure dayes next after the beginning of the next term then next ensuing or to such person or persons as the Kings Majestie have appointed or commanded the payment thereof, to be made by his writ of ^{deliberate}, or to any other person or persons to whom the Kings Majestie have graunted the reversion & the said rents this act or any thing therein contayned to the contrari notwithstanding. Provided alwayes, and the Kings Majestie of his most excellent goodnesse is pleased and contented, & by authoritie of this present Parliament, be it enacted That the yearely value of the said rents services, and rents seckes, which any person or persons bodies politique or corporate before the fourth day of February in the xxvii. year of the Kings Majesties Raign, might have lawfully claymed and had out of the said Hospitall, Monasteries, Abbeyes, Priories, Nunries, houses of friers and other religious houses and places or any of them, or out of any the manours, landes, tenements, parsonages, possessions or other hereditamentes aforesaid, or any part thereof, which hath come or is or shall come, in or to the possession of his highnesse by vertue & authoritie of this Act, or otherwise shall be paid by way of reward out of the Kings Majesties Exchequer in this his Realm of Ireland, to such person or persons, bodies politique or corporate, their heirs, successors, and assigns as ought to have the same by the bandes of the Vicethesaurer of the said Realm for the time being as long as the actual possession & freehold, and inheritance of the lands, tenements or hereditaments which were charged with the paymentes of such rents services and rentes seckes shall be, continue or remaine in the Kings possession, and that the Vicethesaurer taking an acquittance for the payment thereof from time to time shall be allowed for the same in the said Exchequer without any further bill or warrant to be sued in that behalfe, and when the Kings highnesse hath or shall give or lease, to any person or persons, any estate of yeares, freehold or of inheritance to his or their owne uses and profite in any of the said lands, tenements or hereditaments, which were charged to the payment of the said rents services and rents seckes, then the Kings Donees, Lessees & Grauntees, & their heirs and assigns, from thenceforth shall bear, yeald & pay one yearely rent of the yearely value of the said rentes services, and rentes seckes,

seekes, to such person or persons, bodie politique or corporate, their
 heires successors or assignes which of right ought to have the same at
 such feastes and times as the said rents services, and rents seekes, hath
 been used and accustomed to be payed and yeelded, and if it fortune the
 said yearely rent to be behind unpaid in part or in the whole at any
 of the said feastes or times when it ought to be payed, that then it shall
 be lawfull to every such person or persons their heires and assignes,
 as ought to have the same, to enter into any such Mannours, Lord-
 shippes, Landes, Tenementes and other hereditamentes, and evertie
 parcell thereof, whereof they might have lawfully claymed and had the
 said rentes services, and rents seekes, and there to distraine: and the
 distresses so taken to leade and carie away and the same to withhold,
 retain, and keep unto such time as they be payed of the said yearely
 rent, and the arerages of the same if any shall fortune to be. And be
 it enacted by authoritie abovesaid that if the said late Prior, or any
 other late Abbot, Prior, Abbess, Prioresse, Governour or Governesse
 aforesaid, within two yeares next before the dissolution, suppression, before the
 renouncing, relinquishing, forfeiting, giving up or comming to the hands set for
 Kings highnesse of his late Hospitall, Monasteries, Abbey, Priory, priores or
 Nunrie, house of Fryers or other religious houses or places have made life, any scit-
 any Lease or Graunt under his or their Convent or common Seal, or of other
 otherwise for term of life, or for term of yeares of the Scite, Citie, townes or
 cuite, and Precinct, of his said late Hospitall, Monasterie, Abbey Pri-
 ory, Nunrie house of Fryers, or other religious houses, or places, or formerly set
 any part, thereof, or of any Mannours, Meluages, Lands, Tene- but refer
 ments, Milles, Tythes, Graunges, Parsonages appropriate, or other bed to the
 hereditaments set, lying, or being in the same Townes or fieldes, where maintenance
 as the said Hospitall, Monasterie, Abbey, Priory, Nunrie house of the hospitall
 fryers, or other religious house or place is situated which belonged of the
 or appertayned to his said Hospitall Monasterie, Abbey, Priory, Nun-
 rie, house of Fryers or other religious houses or places, and which be-
 fore such lease or graunt thereof was not commonly used to be set ne
 let to ferme, but kept and reserved in the manurance, tillage or occupa-
 tion of the said Prior, Abbots, Priors, Abbesses, Prioresses, or other
 governours or governesses aforesaid, for the maintenance of hospitality
 and good house-keeping in their houses, or if the said Prior or any of the
 said late Abbots, priors, abbesses, prioresses or other gouvernor or go-
 vernesse aforesaid at any time within two yeares next before the disso-
 lution, suppression, renouncing relinquishing, forfeiting, giving up
 or comming to the Kings highnesse of his late hospitall, Monasterie,
 Abbey, Priory Nunrie, house of friers or other religious house or place
 hath made any lease or graunt under his convent or common seal or
 otherwise, for tearme of life or for tearme of yeares of any Mannours,
 Meluages, Lands, Tenements, Parsonages appropriate or other heredi-
 taments belonging or appertaining to his said hospitall Abbey, Priory,
 nunry, hospitall, house of friers, or other religious house or place to
 the use, commoditie, or behoofe of any religious person or persons, or
 to the intent that any religious person or persons should take any com-
 moditie, benefite or profit by the same, unlesse it be for the service
 of a parish Priest or curate to serve the cure of a parish Church, with
 the auncient stipend accustomed to goe with the same any time du-
 ring the space of ten yeares next before the making of this present
 Act, and the same to continue but onely dureing the life of the said
 religious person, or upon condition, parte, bargain or promise,
 by writing, word or otherwise. That if their house had been suppressed
 surrendered or otherwise dissolved, that then the lease to be good, and
 the.

The same
to be a id.

So that the
Kings
lesses
do dwell in
the abbey
or still.
hospitality
by the kings
lesses or
grantee for
life it shall
not annul
any leases
made of
spices. or
where hos-
pitality is
or shall not
be kept.

The last
proviso nor
to extend to
any lease
made upon
any of the
scite.

This act
not to hurt
any of the
abbots
grantees
for term of
years, or
life for
landsc. or
given by
the R. be-
fore this act
in fee sim-
ple fee
tail, &c.

Leases of a-
nie tithes
or appro-
priate par-
sonages
made by the
abbot. &c.
of the hou-
ses been 2
years be-
fore the dis-
solution, not
usually let 4
years be-
fore the
paid two
years to be
void.

the Lessee to have and enjoy the same, and if not, then the same lease to be utterly void, and the Lessee to take no benefite, ne commoditie thereby. That then all and everie such lease and leases had or made as is aforesaid, shall be utterly frustrate, voyd, and of none effect, to all and singular constructions, purposes, and intents, any thing in this act conteyned notwithstanding. So that the Kings said Lesses or Grauntees for term of life, or yeares, of the said Monasteries or houses, being not of the houses of Friars, or their assignes of whole possessions and hereditaments any lease by authority of this act, shall be aboyded, doe dwell and keep hospitalitie, in the said house or Monasterie. Provided also that this Act, or any thing therein contayned shall not extend to aboyd or adnull any lease or graunt for terme of life or yeares, made by any late Prior, Abbot, Priores, Abbess, or any other religious governour or governess to any person or persons, bodies politique or corporate, of the Miles, Scite, Circuite, or Precinct, or other hereditamentes, set, lying or being within the Precinct of any late religious house or place, or within the Towne or place whereas the said religious house or place is, where as hospitalitie is or shall not be kept. & this proviso last before specified not to extend to any lease or leases made of any parcell of the Scite, Ambite, Precinct or Circuite, of any the said houses of Friars. Provided alwayes and be it enacted by authority aforesaid that this present act or any proviso, clause or article therein contayned, bee not hurtfull or prejudicial to any person or persons bodies politique or corporate, their heyres, successours or assignes, having any lease for term of life or yeares, made by any Abbot, Prior, Abbess, or priores or other governour or governess aforesaid of any Scities, Circuites, Lands, Tene-ments, Parsonages, tithes or other hereditaments, which before the making of this act hath been given by the Kings Majestie to any person or persons bodies politique or corporate in fee Simple or fee Taile, and which be out of his highness possession by reason of such giftes or graunts thereof made. But that all and singular the Lesses thereof shall be in the same estate and condition against the Kings Doners and Grauntees in fee simple, or fee taile their heyres, successours or assignes as they should have been if this act had never been had, ne made, any thing in this act to the contrarie thereof notwithstanding. And it is enacted by authority aforesaid that if any of the late Governours or Governesses of the late houses of Connal and Saint Johns of Thissildermot in the countie of Kildare, Loughlewody, Trisfernagh, Fower, and Saint Johns of Kenlis in the Countie of Mierth, Athirde and Saint Leonards besides Dondalke in the countie of Louth, Dniske in the countie of Catherlaugh, Cynterne. Dombrody, and saint Johns of Inescortie in the countie of Wexford, Enestioke, Ardmacarte, and Fertnekeragh in the countie of Kilkenny Kilconley, in the countie of Typperarie, or any of them within two yeares next before the dissolution, suppression, renouncing, forfeiting, giving up or coming to the Kings highness of his late Hospital, Monastery, Abbey, Priory, Nunnrie, house of Friars, or other religious house or place next before rehearsed hath made any lease or graunt under his or their convent or common seale, or other wise for term of life, or for terme of yeares, of any parsonages appropriate or tythes which belonged and appertayned to any of the said houses of Connal, Saint Johns of Thissildermot, Loughlewody, Trisfernagh, Fower, Kenlis, Athirde, said Leonards, Dniske, Cynterne, Dombrody, Enescorty, Enestioke, Ardmacarte, Fertnekeragh, and Kilcoule, which parsonages or tythes, were not at any time within four yeares next.

next before the said two yeares, set or let to ferme, but kept and reserved in the manurance, tillage, or occuppying of the said late Abbot, Prior, Abbess, Prioresse, or other governour or governess aforesaid, for the maintenance of hospitalitie and good house-keeping, be from henceforth utterly frustrate, void and of none effect. It is also enacted by authority aforesaid, that if the said late Prior, or any late Abbot, Prior, Abbess, Prioresse, or other governour or governess aforesaid, within two yeares next before the dissolution, suppression, renouncing, forfeiting giving up, or comming to the Kings handes of his late Hospital, Monasterie, Abbey, Priory, Puncie, Hospital, house of friers, or other religious house or place within this Realm hath made any lease or graunt under his or their convent or common Seal, or otherwise for term of life or of yeares, of any Mannours, Mesuages, Landes, Tenements, Parsonages appropriate, or other hereditaments belonging or appertaining to his late hospital, monasterie, abbey, priory, nunnrie, house of friers, or other religious house or place peelding therefore any yearely rents and fermes in money, which were not any time within four yeares next before the said two yeares, set or let to ferme for money, but onely for port of corne, or marts, or for port of corne & money, or marts and money, or corne marts and money to be paid, and rendred for the same, for maintenance of hospitalitie and good house-keeping: That then in everie such case if the inheritance of the reversion, rents and fermes reserved in money, upon any such lease be in the Kings possession, or in the possession of any of his highness lessees or grauntees for terme of life or yeares, then such person and persons, as have such leases, their executors and assignes shall surrender and give over the said leases, or els to pay yearely to the Kings Majestie, his heyres or successors during the interest of their leases, in the place, and for recompence of their rentes and fermes reserved in money such port of corn or marts, or port of corne & money, or marts & money, or corn marts & money, & all other profits which was used to be paid for all such Landes, Tenements or hereditaments so to them letten at any time within the said four yeares, next before the said two yeares, and if such lessees will still hold and keep their said leases and farmes, paying therefor the said port of Corn or Marts, or corn and money, or marts and money, or corn marts and money, and other profits, as is aforesaid, that then such lessees their executores and assignes shall be quite and discharge aswell against the Kings Majestie as against his lessees and fermours for terme of life or yeares, of and for the rents and fermes reserved in money upon their said leases. And also all and every the Kings said lessees and fermours which have any leases for terme of life or yeares, of reversions, rents and fermes reserved in money of the lands and tenements, and other hereditaments so letten, peelding any rent or ferme to our said Sovereign Lord for the same, shall be discharged & acquitted against his Majestie of and for such rent and ferme as in that case they are bounden to pay. Provided alway, that if any of the Kings grauntees or lessees, which have in ferme for terme of life or yeares, any of the said houses of Connall, Tristeldermot, Loughsewdy, Tristernaugh, Fower, Kenlies, Athirde, saint Leonardes, Dinske, Tinterne, Donbrody, Enescortie, Enestioke, Armacartie, Fertnekeragh, and Kilcoule, and also hath in ferme with such houses, as is next aforesaid, the reversion, rentes & fermes reserved in money upon leases made as is aforesaid, of lands, tenements, or other hereditaments, which were used within foure yeares next before the two yeares aforesaid, to be set and let for port of corn and marts

Leases made of any abbey lands within two yeares, &c. answering onely money where before they answered Corn or marts to be surrendered & for mer reservation to be had.

If the
grauntees
of these reli-
gious hou-
ses doe not
inhabite &
keep house-
hold in these
houses, the
graunts to
be void &
and then the
abbots les-
sees to have
again their
lands &c.
paying the
rents of sur-
bey, &c.

Leases
made by
the abbots
&c. within
two yeares
before the
suppression,
&c. not re-
serving the
rents &c.
usually an-
swered ten
yeares be-
fore

shall have and perceiue yearely the said port of corn and marts in the place, and for the recompence of their money reserved in rent and ferme for the better maintenance of hospitalitie and good house-keeping in and upon the houses next above remembred to them letten, any thing in this Act to the contrary thereof notwithstanding. And it is further enacted by authority aforesaid, That if any of the Kings grauntees or lessees or his or their able and sufficient assignes, which have or hereafter shall have, in ferme for terme of life or yeares, any of the said houses of Connall, Thrisfieldermot, Loughlewody, Trilster-naughe, Fowler, Kenlps, Athirde, Saint Leonards, Dinske, Tyn-terne, Donbrody, Enescortie, Enestpoke, Ardmacartie, Fertnekeragh and Kilcoule, doe not continually dwell, inhabite, keep house, and hospitalitie in such houses as before is rehearsed during their interest therein, that then their leases and graunts thereof shall be void and of none effect. And that then such person and persons their executors and assignes to whom any Abbot, Prior, Abbess, Priorles or other governour or governers of such houses as is aforesaid, hath heretofore made any lease of any of the said houses, or of any landes, tenements, rents, reversions, parsonages, tythes or other hereditaments belonging to them or any of them, shall have and enjoy againe their leases therein: any thing in this act aforesaid declared to the contrary thereof notwithstanding. So that alwayes such lessees, so rehabyng their leases, their executors and assignes, from henceforth yeeld, pay and doe yearely for the same to the Kings highness, his heires and successors, as much yearely rentes, fermes, and profites, as they bee set and valued by the survey of the right honorable Sir Anthonic Seintleger Knight, the Kings Deputie of this his Realm of Ireland, Thomas Walsh the one of the Kings Barons of his Erchequer in England, John Mynn and William Cadendish his Graces auditors, being his highness commissioners assigned for the same. And it is further enacted by authority aforesaid, that if the said late Prior or any late Abbot, Prior Abbess, Priorles, or other governour or governers aforesaid within two yeares next before the dissolution, suppression, renouncing, relinquishing, forfeiting, giving up or comming to the Kings highness of his late Hospital, monasterie, Abbey, Priorie, Puerie, hospital, house of friers, or other religious house or place, hath made any lease or graunt under his or their convent or common seal, or otherwise for terme of life, or for term of yeares, of any manors, messuages lands, tenements, parsonages appropriate, tythes, pensions portions, or other hereditaments, or of any reversion, of any manors, messuages, lands, tenements, parsonages appropriate, tythes, pensions, portions, or other hereditaments which appertained to his said late priorie, monasterie, Abbey, Puerie hospital, house of friers, or other religious house or place, the inheritance of the possession or reversion of which manors, messuages, lands, tenements, reversions, parsonages, tythes, pensions, portions and hereditaments, be now in the Kings hands or shall come to his hands by vertue and authority of this Act. And upon which lease or leases, graunt or graunts so made, the usual and old rents and services, accustomed to be yeelded and reserved by the space of ten yeares next before the first day of this present Parliament, is and be not thereupon yeelded and reserved, that then the lessees and grauntees to whom any such lease or graunt is so made, shall have and enjoy the same, so that such leases were made without like fraud, covin or collusion as is aforesaid: And so that the said lessees their executors and assignes yeeld and pay therefore yearely during

during their interest in their leases to the Kings highness his heyres and successors, so much yearely rent ferme and profite as hath been at any time within the said space of tenn yeares, yeelded, done and paid out, of and for the same. And it is also enacted by authority abovesaid, that if the said late Prior, or any late Abbot, Prior, Abbes, Priors or other governour or governess abovesaid, within two yeares next before the dissolution, suppression, relinquishing, forfeiting, giving up, or comming to the Kings highness of his late hospital, Monastery, Abby, Priorie, Pannerie, Hospitall, house of Friers, or other religious house or place, hath made any lease or graunt for any time above the terme of one and twentie yerres of any manors, messuages, lands, tenements, meddowes, pastures, woods, parsonages appropriated, tythes, pensions, portions, Churches, Chappels, or other hereditaments whatsoever they bee, whereof or in the which any estate or interest for terme of life or yeares at the time of the making of any such graunt or lease then had his being or continuance, and then was not determined, finished, extinct nor expired, and which lease is not taken away by authority of this Act, that then every such lessee and grauntee to whom any such lease or graunt is or hath been made, shall not have, possede, ne enjoy the same, but onely for terme of twentie and four yeares next after the commensment or beginning of the said last Lease. Provided alway, that such leases be made without like fraude, covine, or collusion as is aforesaid, & that the lessees having and enjoying the same, their executors and assignes, shall yeeld and pay for the same yearely, during their interest therein the old usual and accustomed rents and fermes, in form as is abovesaid. And if the yeares mentioned or comprised in such leases be under the number of foure and twentie yeares, that then the said lessees thereof, shall have and enjoy their said leases according to the yeare and yeares comprised and mentioned in the said lease or graunt, and not above, yeelding and paying therefore as is aforesaid. Provided alway and be it enacted by authority aforesaid that if the Kings Majestie hath made any lease for terme of yeares of the reversion of any lands tenements parsonages, tythes, or other hereditaments, which at any time hereafter by authority of this Act shall fortune to be evicted from the possession of the Kings graces fermours lessees and come to the Kings Majesties disposition, gift or graunt, that then in every such case the Kings said lessees, fermours and grauntees and their assignes, shall be defalked, abated and allowed in the Kings Exchequer within the said Realme of and for such and so much yearely rent and ferme as they paid for the said landes, tenements, parsonages, tythes or other hereditaments aforesaid, evicted out and from their possession by authority of this Act, if such rent and ferme may be certainly knownen by their leases. And if not, then they shall be alway rated, defalked allowed and abated for the said landes, tenements, or other hereditaments so evicted by the discretion of the Kings Tresaurer and Barons of his Graces said Exchequer in Ireland. And it is also enacted by authority aforesaid, that all feoffements, fines, and recoveries had, made, knowledged or suffered to any person or persons by any late Abbot, Prior, Abbes, Priors, or other governour or governess aforesaid without the Kings licence under his great seal of this Realm, made by his Graces Warrant under his signe, and bearing a Tasse, in his highness owne name within two yeares next before the dissolution, renouncing, relinquishing, forfeiting, giving up or comming to the Kings highness of any of the said late monasteries, abbeyes, priories, Panneries, hospitalls, house of Friers, or other religious houses or pla-

Leases made for above 21. yeares of lands &c. wherein there was a former interest. Shall bee good but 24. yeares.

They paying the old and usual rents.

Lands granted by the K. evicted shall be abated of the rents

Feoffements or recoveries made by the abbots, &c. within two yeares before the suppression without the K. licence to be hopt

Feoffments
sc. for debts
to be allowed
& confirmed
till debts be
paid out of
the rents.

Leases
made with-
in two
yeres before
this parlia-
ment of the
landes of
Abbes not
dissolved.

Of any
lands not
usually be-
fore set.

Of lands
whereof a
formewhile
is making.

res afoze specified, or of any mannours, mesuages, lands, tenements, or other hereditaments whatsoever they be. which any of the said late abbotes, Priors, Abbesses, Prioresses or other governours or governesses, or any of them, or any of their predecessors, had or held in the right of their houses, of the gift, graunt or confirmation of our said Sovereign Lord, or of any his highnesse most noble progenitors or of the which Monasteries, Abbeyes, Priories, Nunries, Hospitall, houses of Fryers, or other religious houses and places, our said Sovereign Lord was founder or patron, or which houses mannours, mesuages, lands, tenements, and other hereditaments, were in possession of the said late Monasteries Abbeyes Priories Nunries, hospitals houses of Fryers, and other religious houses and places, shall be utterly voyd and of none effect, Provided also, that this act or any thing therein containd, shall not extend to aduimilate or aboyd any lease or graunt feoffment, fine or recovery had or made of any lands, tenements, tythes or other hereditaments, by or against any late priour, abbot, priorresse abbess, or any other religious governour or governess for payment of any debt or duetie that came to the use or profite of any late religious house or place which shall be proved by writing, witnesse or otherwise before the two cheife Justices, the cheife Baron, and the Wicethesaurer for the time being, or any three of them, so that the Wicethesaurer be one, and so by them allowed till such time as the lessees, grauntees, feoffees, recoverers, conisees, their heyres, executors, or assignes of the said landes, tenements, tythes, or other hereditaments have and shall receive, perceive and take the said debts so proved and allowed as is aforesaid, of and upon the rents of the said lands, tenements, and other the premisses, accompting the said lands, tenements, and others the premisses, to be of such value yearely in rent as they have been customably to be set and let for, at any time during the space of tenne yeares next before the making of this Act. And it is farther enacted by authoritie aforesaid, that if any Abbot, Priour Abbess, Prioresse, or other governour or governess of any Monastery Abbey Priorie, Nunrie, Hospitall, house of Fryers, or other religious house or place which shall happen hereafter to be dissolved, suppressed renounced, relinquished, forfeited, given up, or come to the kings highnesse within two yeares next before the first day of this present Parliament have made, or hereafter doe make any lease or graunt under his convent or common seal, or otherwise for terme of yeares or life of the Scite, circuit or precinct of his Monastery, Abbey, Priorie, Nunrie, Hospitall, house of Fryers, or other religious house or place, or of any part thereof, or of any mannours, mesuages, lands, tenements, parsonages appropriate, pensions, portions, or other hereditaments belonging or appertaining to his said Monasterie, Abbey, Priorie, Nunrie, Hospitall, house of Fryers: or other religious houses or places, which mannours, mesuages, graunges, landes, tenements, parsonages appropriate, tythes, pensions, portions, or other hereditaments whatsoever they be, were not before the said lease commonly used to be set nor let to ferme, but kept and reserved in the manurance, tillage and occupation of the said governour or governess for the maintenance of hospitalitie and good house keeping, or now be in the manurance, tillage, or occupation of the said governour or governess for the maintanance of hospitalitie and good house keeping within two yeres next before the first day of this present Parliament, hath made or hereafter shall make any lease or graunt for terme of life or yeares, of any mannours, mesuages, landes, tenements [medowes, pastures, woods, parsonages appropriate

piate, tythes, Pensiones, portions Churches, Chappels and other
 hereditaments whatsoever they be, whereof and in the which any
 estate or interest for term of life, yeare or years, at the time of making
 of any such lease or graunt, then had his being or continuance, and
 then was not determined, finished or expired, or within two yeares
 next before the first day of this present Parliament hath made or here- The old
rent used
for xx.
yeares be-
fore not re-
served.
 after shall make any lease or graunt for terme of life or yeares, of any
 manors, mesuages, lands, tenements, meddowes, pastures, woods,
 parsonages appropriate, tythes, pensions, portions, Churches, Chappels,
 or other hereditaments whatsoever they be, upon which leases and
 graunts the usual & old rents and fermes accustomed to be yeilded and
 reserved by the space of xx. yerres next before the first day of this present
 Parliament is or be not, or hereafter shall not be thereupon reserved
 and yeelden, or if any such Governour or Governesses of any such Mo-
 nasterie, Abbey, Priory, Pinery, Hospitall, house of Friers, or other
 religious house or place which hereafter shall happen to be dissolved,
 suppressed, renounced, relinquished, forfeited, given up or come to
 the Kings highness within two yeares next before the first day of this
 present Parliament hath made or hereafter shall make any bargain or
 sale of his woods, which woods be yet growing or standing, that then
 all and every such lease, graunt, bargain or sale of wood or woods
 as is aforesaid, shall be utterly void and of none effect. And it is also
 enacted by authority aforesaid, that all feoffments, fines, & recoveries Fines,
feoffments
& recoveries
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 had, made, acknowledged or suffered within two yeares next before the
 first day of this present Parliament, or hereafter to be had, made, know-
 ledged, or suffered by any governour or governesses of any Monasterie,
 Abbey, Priory, Pinery, hospital, house of friers or other religious
 house or place which hereafter shall happen to be dissolved, suppressed,
 renounced, relinquished, forfeited given up, or come to the Kings
 highness without the Kings licence under his great seal by his signe
 under his warrant, and under his owne teste, of any Mannours, mesu-
 ages, landes, tenements, or other hereditaments whatsoever they be,
 which the said Abbots, Priours, Abbesses, Prioresses, or other gobe-
 rnours or governesses had or have in the right of their houses, which
 hereafter shall happen to be dissolved, suppressed, renounced, relin-
 quished, forfeited, given up, or come to the Kings highness as is afore-
 said, or any of them, or that any of their predecessors had or held, have
 or hold of the gift, graunt, and confirmation of our said Sovereign
 Lord, or of any of his highness progenitors, or of the which monaste-
 ries, Abbeys, Priories, Pineries hospitalls, houses of friers, or other
 religious houses or places, our said Sovereign Lord is founder or
 patron, or which mannours, mesuages, landes, tenements, or other
 hereditaments were or be of the old or ancient foundation or possession,
 of the said monasteries, Abbeys priories, Pineries, hospitalls, houses
 of friers, or other religious houses or places shall be utterly void and
 of none effect. Provided also, and be it enacted by authority aforesaid,
 that if any Abbot, Prior, Abbess, Prioress, or other late governour or
 governess within ii yeares next before any such dissolution, suppression
 renouncing, relinquishing, giving up or comming to the Kings high-
 ness of the premises, or of any parcell thereof as is aforesaid, have
 made any devise, lease, or graunt to any person or persons for terme
 of life or lives of any manours, mesuages, lands, tenements, par-
 sonages appropriate, tythes, pensions, portions or other hereditaments
 aforesaid, which person or persons or any of them at the time of the said
 lease, devise or graunt had, and held the same for terme of life or lives,

Leases p. 1 or for terme of yeares then not expired, that then the same person
 ble ou bles and persons to whom any such lease or graunt hath been so made, shall
 font fait bon have & hold the same for terme of their life or lives, so that the old rent
 si le rent bled used and accustomed to be yeilded and payed at any time within tenn
 desire payr yeares before, be thereupon reserved: this Act or any thing therein con-
 ans debant teyned to the contrarie notwithstanding. Provided alway, and be it
 soit reserve. enacted by authority aforesaid, that all and singular leases & graunts
 made by the copy to any person or persons of any of the said mesua-
 ges, lands, tenements parsonages appropriate, tythes, pensions, por-
 tions, or other hereditaments aforesaid, for terme of life or lives, which
 by the custome of the countrey hath been demised, letten, or graunted
 by copy of court roll, shall bee good and effectual in the law so that
 the old rent be reserved by ayd upon every such lease and leases: this
 act or any thing therein conteyned to the contrary notwithstanding.
 Provided alway, and be enacted by authority abovesaid that all and
 every person and persons their heyres and assignes, which sithence the
 said fourth day of Februarie, by licence, pardon, confirmation, release,
 assent or consent of our Soberaign Lord the King under his great
 seale passed by his highness warrant under his own Telle, heretofore
 given, had, or made, or hereafter to be made, had, obtayned, or pur-
 chased by indenture, fine, feoffement, recovery, or otherwise of the
 said late Priour, Abbots, Priors, Abbesses, Prioresses, or other governor
 or governesses of any such hospital, monasteries, Abbeyes, Nunries hos-
 pitals houses of Friers, or other religious houses or places any Mona-
 steries, Priories, Hospitalls, Commaundries, mannours, mesuages
 landes, tenements, medowes, pastures, Churches, Chappels, Par-
 sonages, tythes, pensions, portions, or other hereditaments, shall
 have and enjoy the same according to such writings and assurances
 as be thereof before the date of this present Parliament or hereafter
 shall be had or made. Saving to all and every person and persons
 bodies politike their heyres and successors and the heires and successors
 of every of them other then the said late Abbots, Priors, Abbesses Pri-
 oresses, and other governors and governesses, and their successors and
 the successors of every of them, and, such as pretend to be foundors,
 patrones or donors of the said monasteries, Abbeyes, Priories, Nun-
 ries, hospitals, houses of Friers, and other religious houses and places
 or of any of them, or of any manours, mesuages, lands, tenements or
 other hereditaments lately belonging to the same, or to any of them, &
 their heires and successors, and theyres and successors of every such
 founder, patron or donor, all such right, title, interest, possession,
 lawfull entries, annuities, commodities, rent charges, fee fermes,
 offices fees, liberties and livings, pensions, Portions, corrodies,
 synodes, priories and other profits which they or any of them, have
 ought, or might have had in or to the said Monasteries, abbeyes, pri-
 ories, Nunries, hospitals mannours mesuages, lands tenements,
 reversiones, tythes, pensions, portions or other hereditaments at any
 time before any such purchase, indentures, fines, feoffements, re-
 coveries, and other lawfull meane betweene any such parties had or
 made as is abovesaid: this Act or any thing therein contayned to the
 contrarie notwithstanding. And where our said Soberaign Lord,
 sithence the fourth day of Februarie, the said twentieth seventh yeare
 of the raigne of our said Soberaign Lord, hath obtayned and pur-
 chased aswell by eschang as by gifts, bargaines, fines, feoffements,
 recoveries, deedes enrolled, and otherwise of divers and sundry persons
 many sundry and divers honours, castles, mannours, lands,
 tenements

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tenements, meddowes, Pastures, woods, rents, reversions, services, and other hereditaments, and hath not onely payd divers and sundry great summes of money for the same, but also have given and graunted for the same unto divers and sundry persons divers and sundry manors, lands, tenements and hereditaments and other recompences in and for full satisfaction of all such honours, castles, manors, lands, tenements, rents, reversions, services, and other hereditaments by his highnesse obtained, or had as is abovesaid. Be it therefore enacted by authoritie abovesaid, that our said soveraign Lord the King his heyres and successors, shall have, hold, possede and enjoy all such honours, castles, manors, lands, tenements, and other hereditaments as his highnesse thence the said fourth day of february, the seven and twentieth yeare abovesaid, hath obtained and had by mean of exchange, bargain, purchase or other whatsoever meane or meanes according to the true meaning and entent of his bargaine, exchange, or purchase, misrecitall, misnaming or non recitall or not naming of the said honours, castles, manors, lands, tenements and other hereditaments comprised or mentioned in the same bargaines or writings made betwixt the Kings highnesse or any other partie or parties, or of the towne or countries where the said honours, castles, manors, lands, tenements and hereditaments lye or bin, or any matter or cause whatsoever it be in any wise notwithstanding. Saving to all and everie person and persons, bodies politique and corporate, and their successors and every of them, other then such person and persons & their heyres and their wives and the wives of every of them, bodies politique and corporate and their successors and every of them of whom the Kings highnesse hath obtained by exchange, gift, bargain, fine, feoffment, reversion, deed enroled or otherwise, any such honours, castles, manors, lands, tenements, and other hereditaments as is aforesaid, all such right, title, use, interest, possession, lawfull entries, rent services, rent charges, rent seckes, fee fermes, annuities, commodities, fees & other profits which they or any of them have, might or ought to have had in or to the premisses so obtayned and had, or in, or to any parcell thereof, as if this Act had never been hadne made: this present Act or any thing therein containned to the contrary notwithstanding. And where it hath pleased the Kings highnesse of his most abundant grace, aswell upon divers and sundry considerations his Majestie specially moving, as also otherwise to have bargained, sold or chaunged, given or graunted by his graces severall letters pattents, indentures, or other writings under his highnesse great seal to divers and sundry person & persons, bodies politique and corporate, and other his loving and abedient subjectes, divers and sundry honours, castles, manors, Monasteries, Abbeyes, Priories, Lands, tenements, rents, reversions, services, parsonages appropriated, advowsons, liberties, tythes, oblations, pensions, portions, franchises, privileges, and other hereditaments, commodities and profits in fee simple, fee tail, or for term of life, for avoyding of which said letters pattents and the contents of the same, divers sundry and many ambiguities, doubts, and questions might hereafter arise, be moved and stirred aswell for misrecitall as non recitall, as for divers other matters, things or causes to be alleaged, objected or invented against the said letters patents, as also for lack of finding of offices or inquisitions whereby the title of his highnesse therein ought to have been found before the making of the said letters patents, or for misrecitall or non recitall of leases as well of record as not of record, or for lack of the certaintie of the value or by reason of misnaming of the honours, castles, manors, Mona-

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steries, Abbeyes, Priories, lands, tenements, and other hereditaments comprised and mentioned within the same letters patents, or of towne or countries where the same honours, castles, mannours, Monasteries, Abbeyes, Priories, lands, tenements, rents and other hereditaments lyeth and bethe, as for divers and sundry other suggestions and surmises which hereafter might happen to be moved surmised or procured against the said letters patents, albeit the words in effect conteyned in the said letters patents be according to the true intent and meaning of his royall Majestie. Be it therefore enacted by authoritie of this present Parliament, That aswell all and every the said letters patents, indentures and other writings and every of them made under the great seal of Ireland by his warrant under his highness hand or privie seal, and bearing Teste in his own name, or under his great seal of England, sithence the said fourth day of February in the seven and twentieth year of his most noble raign, and all and singular other such his Graces letters patents, indentures, or other writings to be had or graunted in forme as is aforesaid, to any person or persons, bodies politique or corporate within three yeares next after the making of this present Act, of any honours, castles, mannours, Monasteries, Abbeyes, Priories, Puntries, Hospitalls, houses of Fryers, and other religious houses or places, Scites, circuits, precincts, lands, tenements, parsonages, tyethes, pensions, portions, advowsons, nominations and all other hereditaments and possessions of what kind, nature or quality soever they be, or by whatsoever name or names they or any of them be named, known, or reputed, shall stand be good, effectual and avayleable in the law of this Realm, to all respects, purposes, constructions and intents against his Majestie, his heyres and successors, without any other licence dispensations or tolleraunce of the Kings highness, his heyres or successors or of any other person or persons whatsoever they be, for any thing or things conteyned or hereafter to be conteyned in any such letters, patents, indentures or other writings any cause, consideration or any thing material to the contrary notwithstanding. Saving to all and singular person and persons bodies politique and corporate their heyres and successors, and heires and successors, of every of them, other then his highness, his heyres and successors, and the said governours, and governesses, and their successors, donours, foundours and patrons aforesaid and their heyres and successors, and other then those person and persons their heyres and assignes and every of them which be barred and whose right title, interest and possession be not saved in the last Parliament heretofore holden within this Realm, and all other person and persons claiming in their right and to their use, or in the right or to the use of any of them, all such right, title, interest, clayme, possession, reversion, remaynder, offices, annuities, rents, services, rentes charges rent seekes, fee fermes, commens, commodities, fees and other profits which they or any of them have ought or might have had, in or to any of the said honours, castles, mannours, Monasteries, Abbeyes, Priories Puntries, Hospitalls, Lands, Tenements, and other hereditaments in the said Letters patents made or hereafter to be made and comprised at the time of the making of the said or such Letters patents, this Act or any thing or things to the contrary notwithstanding. And where divers and sundrie Abbots, Priours, Abbesses, Prioreesses, and other governours and governesses, of any the said late Monasteries, Abbeyes Priories Puntries, Hospitals houses of Fryers, and other religious houses and places, have had possessed and enjoyed

diverse and sundrie Parsonages appropriate, tythes, pensions and portions, and also were acquitted and discharged of, and for the payment or payments of tythes to be payed out or for the said Monasteries Abbeyes, Priories, Nunries, Hospitalles, houses of Fryers and other religious houses and places, Mannours, Mesuages, Lands, Tenementes, and hereditamentes. Be it enacted by authority of this present Parliament, that aswell the King our said Sovereign Lord his heyres and successors as all and every such persons their heyres and assignes, which have or hereafter shall have, any Monasteries, Abbeyes, Priories, Nunries, Hospitalles, houses of Fryers or other religious houses and places, Scites, Circuites, Precinctes of the same or any of them, or any Mannours, Mesuages, Parsonages appropriate, tythes, pensions, portions and other hereditaments whatsoever they be, which belonged or appertained or which now belong or appertaine to the said Monasteries, Priories, Nunries, Hospitalles houses of fryers and other religious houses and places or to any of them, shall have, hold, retaine, keepe and enjoy aswell the said Parsonages appropriate, tythes, pensions, portions, as the said Monasteries, Abbeyes, Priories, Nunries, Hospitalles, houses of Fryers, and other religious houses and places, Scites, Circuites mannours, mesuages, lands, tenements and other hereditaments, whatsoever they be, and every of them according to their estates and titles discharged and acquitted of payment of tythes, as freely and in as large and ample manner as the late Abbottes, Priours, Abbesses, Prioresses, and other governours and governesses, or any of them had, held or occupied, possessed, used, retained or enjoyed the same or any parcel thereof at the dayes of their dissolution, suppression, renouncing, relinquishing, forfeiting, giving up, or comming to the Kings highness of such Monasteries, Abbeyes, Priories, Nunries Hospitalles, houses of Fryers or other religious houses or places at the day of the dissolution, suppression, renouncing, relinquishing, forfeiting, giving up, or comming unto the Kings highness of any of them: this Act or any thing therein containd notwithstanding. Saving to the Kings highness his heyres and successors, all and every mannours, rents, services, and other dueties whatsoever they be, as if this Act had never been had ne made. And be it further enacted by authority of this present Parliament that such of the late Monasteries, Abbeyes, Priories, Nunries Hospitalles, houses of Fryers and other religious houses and places, and all Churches & Chapells to them or any of them belonging, which before the dissolution, suppression, renouncing, relinquishing, forfeiting, giving up or comming to the Kings highness, were exempted from the visitation or visitations and all other jurisdictions of the Ordinary and Ordinaries within whose Diocess they or any of them be situated and sett. from henceforth shall be within the jurisdiction and visitation of the Ordinary and Ordinaries within whose Diocess they or any of them be situated and set, or within the jurisdiction & visitation of such person or persons as shall be by the Kings highness limited and appointed, this Act or any other exemption, libertie or jurisdiction to the contrary notwithstanding,

Statuta, Ordinationes & Actiones in Parlamento prædicto apud Dublin, die Lune, proximo post festum omnium sanctorum viz, sexto dei Novembris anno regni regis prædicti tricesimo, quarto, coram præfato, deput' similiter tento, edit' in hec verba. An. Do. 1543.

Le clause
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per les Or-
dinarios :

CAP. I.

An Act for the division of Meche into two Shires.

Meth divided
into two
countiesMeth &
WestmethA feast S.
Cather.
1541officers for
the county
of westmeth

FOrasmuch as the Shire of Meth is great and large in circuit, and the West part thereof laid a bout and beset with diverse of the Kings rebels, and that in severall partes thereof the Kings writs for lacke of ministracion of Justice, have not of late been obeyed, ne his Graces lawes put in due exercise. And that the said Sherife of the said Shire for the time being most commonly hath been one of the inhabitants of the English pale within the said Shire, and is not able to execute the Kings procelle and precepts, and other things belonging to his office, throughout and by all the said Shire, and in especiall in diverse places of the West part of the same, by which diverse of the inhabitants of the same, whose auncestors and predecessors hath been obedient to the Kings highnesse, and his most noble progenitors of their duetie of obedience and allegeance unto the Kings highnesse, and his lawes, for and by default of due execution of his said lawes, in consideration whereof it is thought meet that the said Shire should be divided and made two Shires, and one of them shall be named and called the countie of Meth, and the other shall be called the county of Westmeth, and there shall be two Sherifes and other officers convenient within the said Shires, and that the Kings subjects thereby should greatly encrease in obedience unto the Kings highnesse and his lawes. Wherefore be it enacted, ordeyned, and established by the authoritie of this present Parliament, That the Baronies or Hundreds of Ducleke, Scryne, Slave, Margallen, Rouan, Kenles, the halfe baronie of Fower next unto Kenles, having and conteyning in the same the Paroches of Killallou, Demore Cloue Moylagh, Lagherne, Oldcastell, and Luyne, Moyseuragh, Deese, Rathrouh, and Donboyne, shall be in the countie of Meth. And all and singular Honours, Lordshippes, Castells, Mannours, Lands, Tenements and hereditaments lying or being within the compasse of the said Baronies or Hundreds whatsoever they be or shall bee, shall stand and bee from the feast of Saint Catherine the virgin and Martyr which shall be in the yeare of our Lord God a thousand five hundred fortie and two, reputed, accepted, deemed and taken within the said countie of Meth, And that within the same countie there shall be made, ordeyned, elected and deputed a Shiriffe, two Coroners, one Escheator and Clarke of the market, Justices of Peace and Gaole deliverie, Knightes of the Shier, and all other officers and ministers, according as in the said Shire of Meth before this time hath been used and accustomed as oft as need shall require, which Sherife, Coroners, Escheators, Clarke of the Market, Justices of Peace and Gaole deliverie, Officers and Ministers so to be made, ordeyned, elected and deputed, and every of them shall have the same and like authoritie, power, preheminence priviledge and profit within the said baronies, precinctes, limites and boundes now by this act made, in the said countie of Meth, as the like officers in times passed had within the same Shire of Meth, and in none other limitte and place, within the said whole Shire. And further by the same authoritie it is ordeyned and enacted that Waltons countrey be from henceforth made and named the Barony or Hundred of Rathcomirte, and Delamars countrey named Moybrackey, made and named the barony or hundred of Roslaugh, and Tyreels countrey named Fertullagh, made and named the barony or hundred of Fertullagh, and Dillons countrey named Maghirquirk,

quirk, made and named the barony or hundred of Kilkenny West, which baronie or hundred of Kilkenny West, shall have and contayne in the same the Paroches of Kilkenny, Drombran Bonowne, Oughevalle, Artenecrane, Alone and Bawny, Twyny, and a certaine peece of a certaine countrey named Moylagaghe, to be of and as parcell of the other halfe barony or hundred of Fower, which Moylagaghe lyeth on the North-west part of the same half barony or hundred of Fower, which half barony shall have and containe in the same the paroches of our Lady church, Saint Feighens, in the Towne of Fower, Kilpatricke, Mayne, Beallaghilla, Lyckbla, Foveran and Mylton. And be it further enacted by the same authozity, that the baronies or hundreds of Delvin, Moyasbell, Maghertyernan, Corkery, Ferdbille, Moygoise, and the said baronies or hundreds now made by authozity of this Act as Rathcamirte, Roslaugh, Fertullagh, and Kilkenny West, and the half barony of Fower, whereof the said Moylagaghe is now made parcell of Westmeth. And all and singuler Honoures, Lordshippes, Castels, Mannours, Landes, Tenements, and hereditamentes lying or being within the compass or precinct of the said baronies or hundreds of Delvin, Moyasbell, Maghertyernan, Corkery, Ferdbille, Moignoise and of the said baronies or hundreds now made and established by the authozity of this Act as Rathcamirte, Roslaugh, Fertullagh, and Kilkenny West, and the halfe barony of Fower, whereof the said Moylagaghe is now made parcell, whatsoever they be or shall be, every part thereof, shall stand and be for ever, from the said feast of Saint Katharine aforesaid reputed, accepted named and taken the countie of Westmeth, and within the same countie there shall be ordayned elected, and deputed a Shiriffe, Coroners, Escheator, Clerke of the market, Justice of Peace and Gaole deliberie, knightes of the shire, and all other officers and ministers, according as in the same shire of Meth before this time hath been used and accustomed, as oft as need shall require, which Shiriffe, Coroners, Escheator, Clerke of the market, officers and ministers, so to be made, elected and deputed, and every of them shall have the same, and like authozity, power, preheminance, priviledge & profits, within the said baronies, precinctes, limites and boundes now by this Act made in the countie of Westmeth, as the like officers in times past had within the said shire of Meth, and in every part or place within the said shire of Meth. And that the Towne of Molingare shall be named, accepted, reputed, used, had & taken, the head and shire towne of the said countie of Westmeth. And further forasmuch as it is thought needefull & necessarie, that there shall be a common Gaole for the receipt & sure keeping of such persons as shall be committed to prison within the precinct of the said countie of Westmeth, and that there is no place so meet for the same as the house of late Fryers of Molingare aforesaid, being the shire Towne appointed by this act. Be it therefore enacted, ordeyned and established by authozity of this present Parliament, that the said common Gaole or prison shall be within the precinct of the said house and in such place thereof, where the Lord Deputie, the Lord Chauncellour, the three chief Judges, and the master of the Rolles for the time being, shall assigne and appoint. Provided alwayes and be it enacted by authozity aforesaid that all proceess and procelles, awarded or to be awarded out of any our Sovereign Lord the Kings Courts or by any of his Graces Judges, Officers or Ministers to the Shiriffe, or any other Officer or officers, Minister or ministers in the said countie of Meth, and not returnable, ne returned before

Molingare
the
shire towne
of the countie
of West
meth

the prison

the said saint Katherins day, being or pursued for the recoberie, or redress of any cause or matter within the limites, precinct or circuit of the countie of Weth, made and established by authoritie of the present Act, shall be served & returned by the Shirisfe, or other officer or officers, minister or ministers of the said countie of Weth, made & established by the authoritie of this present Act. And that the same processe and procesles, so to be served and returned shall be of and in the same maner and condition, and of and in such like force, strength and vertue, to all intents, constructions & purposes, as though the same had been served and returned by the Shirisfe, officer or officers, minister or ministers of the said now countie of Weth, as though this act had not been made, this present act, or any thing therein contayned to the contrarie notwithstanding. And that likewise by authoritie aforesaid, all processe and procesles awarded or to be awarded out of any our said soveraign Lord the Kings Courts or by any of his Graces Judges, Officers or Ministers to the Shirisfe or any other Officer or officers, Minister or ministers in the said countie of Weth, and not returnable ne returned before the said Saint Katherins day, being or pursued for the recoberie or redress of anie cause or matter, thing or things within the limits, precinct, or circuite of the said countie of Westmeth, made and established by authoritie of this present act shall be served and returned by the Shirisfe, or other officer or Officers, minister or Ministers of the said countie of Westmeth, & that the same proses & procesles so to be served & returned shall be, of, and in the same manner and condition, and of and in such like force, strength and condition, and vertue, to all intents, constructions and purposes, as though the same had been served & returned by the Shirisfe, Officer or officers, Minister or ministers of the said countie of Weth, as though this act had never been made this present Act or any thing therein contayned to the contrarie in any wise notwithstanding. Provided and bee it enacted by the authoritie aforesaid, that the now knights for the said countie of Weth elected and returned for this present Parliament, shall continue remaine, and be knights, of and for the said countie of Weth, made and established by authoritie of this present Act. And also of and for the said countie of Westmeth made and authorized by authoritie aforesaid, during the continuance of the same Parliament, and to the utter dissolving of the same in like manner, sorte, forme, effect and condition, as though this Act had never been made, anie thing or things conteyned or mentioned in the same to the contrarie in any wise notwithstanding. The intent, meaning and making of this Act, is that everie of the halfe Baronies of Fower in all tryalles shall be taken as an entire Barony, that is to say, that moytie allotted to the shire of Weth to be taken as an entire Barony of that shire, and the other moytie allotted to Westmeth to be as an entire Barony in that shire for all tryalles.

CAP. II.

An Act that for persons standing bound in any Court for their apparance, and being in service, to be discharged by Writt.

Such as are
in service
of the go-
vernours
ther. sur-
vives to be
discharged

FOrasmuch as the Kings Subjects in this Realm of Ireland standeth at diverse seasons in such danger and perrill of invasion by the disobeylants, Irisherie, as the possessioners and inhabitants being his graces subjects in this Realm of Ireland, must be attendant in their persons upon his Majesties Lieutenant or deputie of the same.

same for the time being, in committing inbasion to the same disobey- of their re-
 sants, & to resist their attemptats. The Kings most excellent Majestie cognisance
 of his highnesse benign and most kingly goodnesse therefore is pleased for appa-
 and contented that it be enacted ordeyned and established by the Lords rance.
 spirituall and temporall, and the commons in this present Parlia-
 ment assembled, and by authoritie of the same, That if any person
 or persons have or shall be bounden by recognisance, or having a day
 by rolle to appeare in any of his Graces his heyres or successours court or
 courts, cession or cessions any day in the same recognisance, record or
 rolle, written, mentioned and entred, or hereafter to be written & entred, in any of the
 and that at the same day of apparance that any such person or persons Courts or
 was or shall be bounden in any of the said courts or cessions to appear cessions
 in maner and forme as is aforesaid, he or they the same person or per-
 sons be or shall be attendant upon the Lieutenant, Deputie, Justice
 or Justices, or other governour of this Realm in committing inbasi-
 on upon any disobeyants in this Realm, or for defence of any of the
 Kings subjects, or appointed or assigned by the Lieutenant, Deputie
 Justice or Justices, or other governour aforesaid to invade any dis-
 obeyant, or to defend any of the Kings subjects aforesaid, by reason
 whereof any such person or persons have not, or hereafter shall not keep
 their said day of apparance, for that, that he or they was, were or shall
 be at that time occuppyed as is aforesaid, that then it shall be lawfull un-
 to the said Lieutenant, Deputie, Justice or Justices, or other gover-
 nor aforesaid for the time being by force and authoritie of this Act, to
 direct a Warrant under his signe or seal to the Chauncelloz or keeper
 of the great Seale of this Realm for the time being, willing him by
 the same, that forasmuch that such person or persons were or shall be
 in the affayres in forme aforesaid to direct a Writ under the Kings
 seal to the Judge or Judges of any the Kings Courts or cessions of this
 realm, where any such person or persons did not keep their day or dayes
 of apparance to discharge the same incurred in any such forfeiture, the
 same recognisance, record or rolle, or any other thing therein contey-
 ned to the contrarie notwithstanding. Nothing to be payed for the
 premisses by the partie so to be discharged, but twelbe pence to the fees for the
 Clarke that shall make the Warrant, twelbe pence to the Clarke of the disch^g,
 the crowne of the Chauncery for making of the Writ, twelbe pence to their sur-
 the Clerke of the Court where the said bond, shall be discharged for the tyres to be
 shrolling of the Writ and entring the parties discharge upon the made
 bond. Provided alway, that at or in the next terme or sessions after for apparenc
 the return of anie such person or persons from the doing or executing the next
 of any such service in maner and forme aforesaid he or they so incur- sessions
 ring in any such forfeiture shall appeare before the Judges in the same after the
 court or cessions where any such forfeiture shall happen to be and there service done
 present unto the same Judges the same Writte for the discharge of the
 same forfeiture, upon which Writte all and every such person and bond and to
 persons of every such forfeiture so forfeited, in manner & form afore- taken.
 said shall be cleerely thereof discharged, and the said Judge or prohibo that
 Judges to take a new bond of the partie, as to their discretions shall this statute
 be thought good. Provided also, that if any person or persons shall be shall not
 bound to keepe the peace, and happen to breake the same, that then a- Extend to
 ny such person or persons shall take no advantage ne benefite by this those that
 Act, ne by any thing therein contayned as to be discharged of any such are bound
 forfeiture, for or concering the breaking of the peace to the peace

Statuta, Ordinationes & actiones in Parlamento præd apud Dul-
 lin, die Marties prox, ante festum sancti Gregorii martiris, V^z, xviij^o

die Aprilis anno tricesimo quarto præd', coram præfato deputato, similiter tento, ædit' in hæc verba.

An Act touching the Mannor and Castle of Dongarvan.

Ritt. Parliament' cap. 2.

Dongarvan
united to
the Crown

Whereas the castle, mannour and lordship of Dongarvan hath been the King Majesties & his most noble progenitors auncient inheritance, whose highness possession therein hath of long time been encombr'd, disquieted, disturbed and now the entire and quiet possession of the same is in his highness possession and hands, and having respect to the place where the same is situated which may be a meane to bring all that parties of Mounster into a better quiet and way of reformation, being in his Graces hands and disposition as is most meet and convenient to be: Be it therefore enacted, ordepend and established by the Kings most excellent Majestie, by the assent of the Lords spiritual and tempozal, and commons in this present parliament assembled, and by authoritie of the same, and at the speciall request & desire of the right honourable Lord James Earle of Ormond and Ossorie, That the Kings Majestie, his heyres and successours Kings of England, shall have and hold the said Castle, mannour and Lordship, with the appurtenances with all issues, fishings, customes profits and commodities thereunto belonging or appertayning, in as large and ample manner as any other of his highness or any of his most noble progenitors, right, or of any of his progenitors, clayming the same in their owne right, the same had and received at any time, to have, hold and enjoy the same Castle, mannour and lordship, with all other the premises to his highness his heyres and successours kings of England, as knit, united and annexed unto his Majestie, his heyres and successors imperiall crown for ever. Provided that this said Act ne any thing or things, matter, sentence, or article therein contayned, shall extend in any wise to any maner of corne, imblements, fallow or to any other thing or things now let or solwen by any person or persons in of, or upon the said mannor and lordship, mesuages, lands, tenements or any part thereof, but that the owners, setters, or manurers thereof shall have, take, possess and enjoy the said corn, imblements, fallow, & other the premises, without any late, disturbance, or impediment of the Kings Majestie, his heyres or successours, or any his or their officer or officers: this present Act or any thing therein contayned to the contrary notwithstanding,

S T A T U T A, O R D I N', Actus, & provisiones ædita in quodam Parliament' Illustrissimorum Principum domini nostri *Philippi*, & dominæ nostræ *Mariæ* dei gratia Regis & Reginæ Angliæ, Hispaniarum, Franciæ, utriusque Sciciliæ, Hierusalem, & Hiberniæ, fidei defensorum, Archiducum Austriæ Ducum Burgundiæ, Mediolani, & Brabantie, Comitum Haspurgi, Flaundriæ & Tirolis, virtute commissionis & mandati dictorum domini Regis & dominæ Reginæ sub magno sigillo suo Angliæ apud Dublin die Martis, vz. primo die Iunij Annis regnorum prædictorum domini Regis & dominæ Reginæ tertio & quarto, coram predilecto consanguineo & consiliario suo *Thoma Radclif* Milite, Comite Suffex vic. fitz Water, domino Egremont & Burnell, uno generosorum private Camera dicti domini Regis, omniumq; generosorum pensionar. ad arma dictæ dom. Regin in regno suo Angl' capitaneo, ac deputato eorundem domini Regis & dominæ Reginæ regni sui Hibern' tento, & ibidem contin. usque ad secundum diem Iulij tunc prox' sequen', & ibm' usque ad decimum diem Novemb. tunc prox' sequen' usque civitatem Limeric. adjourn', & ibidem dicto decimo die Novemb. continuat & ad inde eodem die usq; ad primum diem Martij tunc proximè sequen' usq; villam de Drogheda adjornat. Ante quem primum diem Martij dict. deputatus per mandatum dictorum domin' Regis & dom' Reginæ transfretavit ad eorum Majestat' in Angliam & ibm' remansit usq; post dictum primum diem Martij, ratione cujus sine absentia dictum Parliamentum eodem primo dei Martij, discontinuatum & dissolutum

solutum fuit. Anno. domini. 1556.

C A p. I.

An Act for the disposition of Leixe and Ofsallie. Rot^h Parl^h cap. 7

Where the counties of Leixe, Slewmarge, Ofsailly, Jrry, and Glynmalrie which belong of right to the King and Queens most excellent Majesties, were of late wholly possessed by the Moores, the Connors, the Dempsyes and other rebels, and now by the industrious travaile of the Earle of Suffer now Lord Deputy of Ireland, be brought again to be in the possession of their Majesties, and so remain to be disposed as to their highnesses shall be thought good, forasmuch as the well disposing of the foresaid counties and planting of good men there, shall not onely be a great strength to those quarters, but also a wonderfull assurance of quiet to all the rest of the English countries, and a great terror to all Irish countries bordering upon the same. Therefore at the humble request of the Lords Spiritual and Temporal, and the commons of this Realm, Be it enacted by our Sovereign Lord and Lady the King and Queens Majestie, the Lords spiritual and temporal, and the commons in this present Parliament assembled, and by the authority of the same, That the foresaid Earle of Suffer now Lord deputy shall have by vertue of this Act full power and authority during the time he shall be Lord deputy there, to give and graunt to all and every their Majesties subjects English or Irish borne within this realme, or within the realme of England at his election and pleasure, such severall estates in fee simple, fee taile, leases for terme of yeares, life or lives, of all and every the Lordships, manours, castles, patronages of benefices, lands tenements & all other hereditaments temporall with their appurtenances parcel of any the said countries, or to any of the countries of right appertaining or belonging, as for the more sure planting & strength of the countries with good subjects shall be thought unto his wisdom and discretion meet and convenient, and that the said Earle of Suffer now Lord Deputy may by vertue of this Act, commaund the Lord Chauncelloz or keeper of the great Seal of this Realm for the time being to set their Majesties great seal of his Realm to everie such graunt of estate in fee simple, fee taile lease for yeares, life or lives, so by him granted or demised, & that every such commandement of the said Lord deputy by warrant signed with his hand & seal, shall be to the same Lord Chauncelloz or the keeper of the great seale for the time being a sufficient warrant or discharge for the sealing of every such graunt so by him granted, which grant so by him granted & sealed with the said broad seal, shall be good and baileable in the law to every person that possesseth any of the said graunts, according to the tenor of the graunt against our said sovereign Lord and Lady the King & Queens Majesties, her heyres and successours, and against any other person or persons, bodies politique or corporate, their heyres and successours, and the heyres and successours of every of them: any law, estatute, or other order heretofore made to the contrary in any wise notwithstanding. Provided alwaies that upon every such estate of fee simple, fee taile, lease for terme of yeares, life or lives so by the said deputy to be graunted or demised, as before there be such yearely rents, services, conditions and covenants reserved to the King and Queens Majesties, her heyres and successours as by the said Lord Deputy upon the said graunt or graunts shall be thought expedient and necessary for the better advancement of their Majesties, and the sure planting strength and suertie of the said countries. Provided also that this Act or any matter therein conveyed, shall not extend to any lands or inheritances

Spiritual or temporal of any person or persons their heyres and successors, which are excepted by proviso in thact passed intituling the King and Queenes Majesties, her graces heyres and successors in and to the said countries of Leir, Offayly, Slewmarge, Irry and Glimmaliry but that they the same person and persons, their heires and successors and theirres and successors of every of them shall & may have, enjoy possesse, and dispose his and their said severall lands, inheritances & interests according to the said ^{proviso} in the other act, at their will & pleasure: any matter or thing in this act to the contrary notwithstanding.

CAP. II.

An Act whereby the King and Queens Majesties and the heires & successors of the Queen be intituled to the counties of Leix, Slewmarge, Iry, Glimmaliry, and Offaily, and for making the same countries shire grounds. *Ret. Parl. cap. 8.*

Severall
Counties
given to
the Crowne
of England

Prayen the commons in this present Parliament assembled, that forasmuch as the Omozes, Odempies, Oconnors, and others of the Irishry lately inhabiting the countries of Leire, Slewmarge, Irry Glimmaliry & Offaily, & by their sundry manifest treasons after many pardons graunted to them & sundry benefites shewed to them, yet often rebelled, committing great hurts to the king & Queenes majesties most loving Subjects by the which they provoked the most worthy Prince King Edward the first brother to our said soveraign Lady the Queens Majestie to use his power against them, who at length to his great charge did subdue and repress the said Irish enemies or rebelles, bringing into his possession the countreyes aforesaid, sitthen which time the said Omozes, Odempies, Oconnors and others of the said Irishry have trayterously contrary to their bounden duties, by force entred the said countries and them so did hold against the King and Queenes Majesties, unto such time as their Majesties by the diligent and painefull travaile and labour of the Right Honourable the Earle of Suffex their Majesties Lord Deputy in Ireland by the sword, evicted and reduced the said countreyes out of and from the wrongfull and usurped possessions of the said Irish enemies or rebels to their Majesties former possession as of right appertained and for that that neither of the said countries is knownen to be within the limites of any shires or counties of this Realm, no title could be found either to the said late King or to their Majesties, for and in the said countries and the hereditaments of them, as by their Graces law is appointed to bee in like case, by default whereof their Majesties might not take order for the disposition of the said countries by their grauntes as they now intend to doe. Be it therefore ordeyned enacted and established by our said soveraign Lord and Lady the King and Queens Majesties, the Lords Spirituall and Temporall and the Commons in this present Parliament assembled, and by authoritie of the same, That the said King and Queens Majesties during the life of the said Queen and the heires and successors of the said Queen, shall have, hold and possesse for ever as in the right of the Crown of England and Ireland the said countries of Leire, Slewmarge, Irry, Glimmaliry and Offaily, and all and singular Seignories, Honours, Mannours, Castels, Fortresses, Meluages, Lands, Tenements, Woodes, Moores, Pastures, Mountaines, Marches, Waters, Rivers, Loghes, Churches, Chappels, Adowsons, Patronages, Townes, fields, rentes, services, and all and singular other the hereditaments Spirituall and Temporall of what name, nature, kind or quality so ever they be of in the said countries and every of them according

cording to the auncient limites, meares and boundes of the same coun-
 tries and every of them, except all and singuler such Parsonages and
 vicarages as now have cure there, the patronages whereof shall be like-
 wise given to their Majesties and to the heires and successours of the
 said Queens Majestie for ever: and to the end the said countries may
 be from henceforth the better conserved, and kept in civill government,
 Be enacted by the said authority that the new fort in Leire be from
 henceforth for ever called and named Mary Burgh and that the said
 countries of Leire, Slewmarge, Fry, and such portion of Glinmaltrie
 as standeth and is situate of that side of the river of Barrow, where-
 upon the said Mary Burgh standeth and is situated, and all the seigno-
 ries, honours, mannours, landes, tenementes, and hereditamentes of
 the same countries and portion & other of them be from the first day of
 this Parliament one shire or countie named, knowne and called the ^{Queens} ~~County~~
 Queens county, and shall from the said day be taken, reputed and used
 as a countie or shire to all purposes for ever, and that there shall be ap-
 pointed or dayned and made within the said shire or county for the rule,
 thereof and execution of things there, Sherife, Coroners, Eschetor
 Clerke of the market, and other officers and ministers of Justice yere-
 ly, as in other the shires or counties in this Realm of Ireland, be or
 should be. And be it also enacted by authority aforesaid, That the new
 fort in Offaily be from henceforth for ever, called and named Philip-
 peston, and that the said country of Offaily and such portion of the ^{Offaily to}
 said Glinmaltrie as standeth and is situated of that side of the river of ^{be called}
 Barrow, whereupon the said Phillippeston standeth and is situated & ^{Phillipston}
 all the seigniories honours, mannours, lands, tenements and heredi-
 taments of the same countrey and portion and every of them be from
 the feast of Saint Michael tharchangel next comming after the first ^{Kings}
 day of this present Parliament, one shire or county, named knowne & ^{County}
 called the Kings countie, and shall from the said feast be taken, reputed
 and used as a countie or shire to all purposes for ever, and that there
 shall be appointed ordeyned and made within the said countie or shire
 for the rule thereof, & execution of things there, Sherif, Coroners,
 Eschetor, Clerke of the market, and other officers and mininisters of ju-
 stice yearly as in other the shires or counties of this realm of Ireland
 be or should be. And be it likewise enacted and ordeyned by the said
 authority, that a commission be made forth by the Lord Chauncellor
 for the time being, to certain of the counsaill and others after his dis-
 cretion as well for the deviding of the bounds and limitts of the said
 feberal counties or shires from other counties and places, and to ev-
 ther of them adjoyning, and also possessions and hereditaments of the
 said counties or shires of Kings Countie and Queens Countie, into
 feberal Baronies or Hundreds, as also the towne and place where the
 prison, yaille or gaole in every of the said counties or shires shall be, and
 what order and appointment shall be so taken and made by the said
 commissioners in that behalf, and returned into the king and Queens
 Majesties Chauncerie of this realm. Be it by authority of this pre-
 sent Parliament ratified, confirmed and established for ever. Provided
 alwayes, that this Act or any thing therein conteyned, shall not in any ^{Proviso}
 wise be prejudicial ne hurtfull to any Letters patents made and gran- ^{that this}
 ted unto Gerald now Earle of kildare, and to his heyres by our said ^{stat shall}
 Soberaign Lady the Queen, or by her highness late brother King ^{not be pre-}
 Edward the sixt, of any honours, mannours, lands, tenements, prebe- ^{judiciall to}
 minences, dignities, priviledges, jurisdictions, & other hereditaments ^{the Earle of}
 whatsoever, within this Realm of Ireland, but that the said Gerald ^{Kildare}
 Earle

acconfir-
mation of
grants
made to the
Earl of Kil-
dare

this statute
not to be
prejudicial
all to any
Ecclesiasti-
cal person

Earle of Kildare and his heyres shall and may enjoy and hold all and singular the said honours, prebeminences, dignities, privileges, jurisdictions, manors, lands, tenements, and all other hereditaments to him and to his heyres given and graunted by our said sovereign Lady the Queen, or by her highnesse said late brother King Edward the first, or by either of them according to the tenor forme and effect of the said severall letters patents, and as the said Earle and his heires, should or ought to have and enjoy the said honours, manors, and other the premises, by force of the said severall letters patents or of any of them, as if this act had not been made any thing herein contained to the contrarie notwithstanding. Provided also that this act nor any thing therein conteyned, doth not extend to the Archbishop of Dublin, the Bishop of Kildare, Bishop of Leighlin, or any other Ecclesiasticall person or persons and their successours of any right, title interest, prebeminence, authorities, advowsons, presentations, by laps or otherwise, or any other thing or things that they or their predecessors have had, enjoyed or possessed within the said countrey of Leire and Offaly, but that the same shall be in their and every of them and their successours in as large and ample maner as any their predecessors had enjoyed, manured, occupied & possessed the same at any time before the making of the said act, any law, use or custome in this act to the contrary in any wise notwithstanding.

CAP. III.

An Act to convert and turne divers and sundry waste grounds into shire grounds. Rot. Parl. cap. 9.

divers waste
grounds
turned into
shire
grounds
Art. 11.
Ch. cap. 9.

VV Here divers and sundry robberies, murders and felonies be daily committed and done within sundry Townes, villages and other waste grounds of this Realm, being no shire grounds to the greate losse of divers and sundry true subjects of this realm, to the great boldnes and encouraging of all other like offenders, by reason that the same townes, villages and waste grounds be not made shire grounds, for remedy whereof. Be it enacted by authoritie of this present Parliament that immediatly upon the prorogation or dissolution of the same, the Lord Chancelor of this realm for the time being, shall have full power and authoritie by vertue of this act to adwarde and direct the King and Queens Majesties commission under their Graces great seal of this Realm to such number of persons as shall by warrant under the Lord Deputies hand and seal for the time being, bee thought most convenient and meet. giving thereby full power and authoritie to the same Commissioners by authoritie of the same Commission to view, surbey and make inquirie of all the Townes, Villages, and waste groundes of this Realm now being no shire groundes, and upon the said view inquirie and surbey to limit, make, nominate and devide by certaine limittes and boundes all such Townes, Villages and waste groundes within this Realm being presently no shire ground nor countie, into such and as many severall counties, shires and hundreds as to the said Commissioner shall be thought most meetest and convenient, and after they have made such surbey, inquirie, and division of the said counties, shires and waste groundes as is aforesaid, the said commissioners shall certifie the same unto the Lord Deputie for the time being, who likeing the said certificat shall under his hand and seal, and the hands and seales of the said commissioners return and certifie the doing together with the said commission into the high court of Chancery before such feast or time as by the said commission shall be to them limited and appointed, to the intent the

the same may there remaine of record and the same certificate so made shall be of the same force and effect as it were done and made by act of Parliament, and the said shires, countries and hundreds after the same certificate so made shall be used & taken as other counties, shires & hundreds be in every other shire within this realm of Ireland. Provided alwayes and bee it enacted by authoritie aforesaid, that the King and Queens Majesties her heyres and successours, shall and may have ^{proviso that} full power and authoritie for the term of seven yeares next after the ^{the King and} end and dissolution of this present Parliament, for such time as shall ^{his successors} please their Majesties her heyres and successours to suspend or utterly ^{shall have} to repeal revoke and abrogate this whole act together with all other ^{libertie for} things done by force of the same, or any part thereof from time to ^{7. years} time, as shall stand with their Majesties most gracious pleasure, ^{time to} that every such suspending repeale and revocation from time to time ^{to suspend or} as often as any such case shall happen, shall be made in writing under ^{repe: this} the great seal of Ireland, and that proclamations of every such suspending, repeale and revocation shall be made in such and as many shires of this realm of Ireland, as to her Majesties her heyres and successours shall bee thought meete and convenient, and thereupon the said commission to be inrolled in the Rolles of this present parliament wherein this act shall be inrolled, and that every such suspending, repeale, and revocation so to be had and made by the King and Queens Majesties her heyres and successours shall be as good and effectuell to all intents and purposes, as if the same had been done by authoritie of this present Parliament, this act or any thing therein conteyned to the contrary thereof notwithstanding.

CAP. IIII.

An Act declaring how Poynings shall be expounded and taken *Rott. Parli. cap. 11.*

VV Here at a parliament holden at Drogheda the munday next after the feast of saint Andrew the Apostle in the tenth year. of the reign of the late King of famous memory Henry 7. Graundfather unto our soveraign Lady the Queen before Sir Edward Poynings knight, then Lord Deputie of this Realm of Ireland, an act among other things was enacted and made for and concerning the order manner and forme of Parliament to be from henceforth holden and kept in this Realm of Ireland in forme following. Item, at the request of the Commons of the land of Ireland, be it ordeyned, enacted and established, That at the next Parliament that there shall be ^{recital of the} holden by the Kings commaundement and licence, wherein amongst ^{statut of 10} other the Kings grace intendeth to have a generall resumption of his ^{D. 7: c: 4.} whole revenue sith the last day of the raigne of King Edward the ^{in Ireland} second, no Parliament bee holden hereafter in the said land, but at such season as the Kings Lieutenant and Counsaile there doe first certifie the King under the great seal of that land the causes and considerations of all such acts as them seemeth should passe in the same Parliament, and such causes consideration and Acts affirmed by the King and his Counsaile to be good and expedient for that land, and his licence thereupon, as well in affirmation of the said causes and acts, as to summon the said Parliament under his great Seal of England had and obtained, that done, a Parliament to be had and holden after the form and effect aforesaid; and if any Parliament be holden in that land hereafter contrary to the form and provision aforesaid, it be deemed voyde and of none effect in the law, as by the said Act more at large it doth appeare, for as much as sithence the making of the said Act, diverse and sundrie ambiguities and doubts have been made and risen upon the true understanding and meaning

B b b

of

Exposition
of the
said Statute

Enacting
part

that other
causes and
considerati-
ons to be
enacted may
be certified
into Eng-
land.

those return-
ed under
the great
Seal of
England
only to be
enacted

of the same: for the avoyding of the which doubts and ambiguities, and for a full and plain declaration of the true meaning and understanding of the said Act, Be it ordained, enacted and established by authority of this present Parliament, That the said Act and every clause and article therein conteyned, shall from the first day of September last past, be expounded, understood, and taken as hereafter followeth, that is to say, That no Parliament be summoned or holden within this Realm of Ireland, untill such time as the Lieutenant, Lord Deputie, Lord Justice, Lords Justices, chiefe governour or governours or any of them, and the Counsaile of this said Realm of Ireland for the time being shall have certified the King and Queens Majesties her heyres and successours under the great Seale of this said Realm of Ireland, the considerations, causes, and articles of such Acts, provisions and ordinances as by them shall be then thought meet and necessary to be enacted and passed here by Parliament, and shall have also received again their Majesties answer under their great Seal of England, declaring their pleasure eyther for the passing of the said acts provisions and ordinances, in such form and tenour as they should be sent into England, or else for the change or alterations of them, or any part of the same. And be it further enacted by the authority aforesaid, that after such return made, and after licence & authority to summon a Parliament within the said Realm of Ireland, graunted under the great Seal of England unto the said Lieutenant or Lord Deputie, or other Lord Justice, Lords Justices, chiefe governour or governours of the same Realm of Ireland for the time being, and not before the same Lieutenant, Lord Deputie, Lord Justice, Lords Justices, chiefe governour or governours shall and may summon and hold a Parliament within this Realm of Ireland for passing and agreeing upon such Acts and no other as shall be so returned under the said great Seal of England, and forasmuch as manie events and occasions may happen during the time of the Parliament, the which shall be thought meet and necessary to be provided for and yet at or before the time of the summoning of the Parliament was not thought nor agreed upon. Therefore be it further enacted and established by authority of this Parliament, that as well after every such authority and licence sent into this realm of Ireland, as also at all times after the summons and during the time of every Parliament to be hereafter holden within the said Realm of Ireland according to the tenor and form of this Act the Lieutenant, Lord Deputie, Lord Justice, Lords Justices, chiefe governour or chiefe governours and counsaile of the same Realm of Ireland for the time being, shall and may certifye all such other considerations, causes, tenours provisions and ordinances as they shall further then think good to be enacted and established at and in the same Parliament within the same Realm of Ireland to the King and Queens Majesties her heyres and successours under the great Seal of this said Realm of Ireland, and such considerations, causes, tenours, provisions and ordinances, or any of them, as shall be thereupon certified and returned into the said Realm under the great Seal of England and no others, shall and may pass and be enacted here in every such Parliament within this said Realm of Ireland, in case the same considerations, causes, tenours, provisions and ordinances. or any of them be agreed and resolved upon by the three estates of the said Parliament: any thing conteyned in this present act or in the foresaid Act made at Drogheda to the contrarie notwithstanding. Provided alwayes, & be it further enacted by the authority of this present Parliament, that all and every Parliament and Parliaments summoned

summoned, kept and holden within this Realm of Ireland since the making of the said former Act in the said tenth yeare of the reigne of the said late King Henry the seventh, and all & every, Act, Acts, ordinances and provisions, made, passed, ordeyned and enacted in the same, shall be and remain in such and the same force, strength, validitie and effect to all intents, constructions and purposes as if this act had never been had ne made: this act or any thing therein conteyned to the contrary notwithstanding. Provided also that this act or any thing therein conteyned, shall not extend or be ment, to the defeating or hinderance of any the provisoes made in this cession of this present Parliament.

CAP. V.

An Act against Corsors and idle men. *Rott, Parl. cap. 14.*

FOrasmuch as now in this Realm all labouring men in husbandrie, as cottiers and other dwellers, under lords, gentlemen, freeholders and fermors doe give themselves to idleness and will not labour, but daly use cosserie, as in buying horses, garrans, geldings, coltes and mares, intending to fatten them in the lord, gentleman, freeholder, or fermors ground, under whom the said cottier and cottiers dwelleth, and then after again to sell such horse, gelding, colt, or mare so bought as before, verie deere, and so thereby do not only make horses geldings, coltes and mares very deere to such as occupy husbandrie, and have otherwise need of them, but also the idleness of the said cottiers and labouring men that will not labour the earth upon request made, is a great hinderance to husbandry, & much hurtfull to the common wealth of this realm. Be it therefore enacted, ordeyned and established by our soveraign Lord and Lady, the King and Queens Majesties, the Lords spiritual and tempozal, and the commons in this present Parliament assembled, & by authority of the same, That from the first day of May next comming: no cottier nor labouring man in husbandry nor horseboy, nor kernaugh shall not buy any horse, garran, gelding, colt or mare, nor make bargain with any other for the having of any of them, upon pain of forfeiture for every time so offending in buying or bargaining for horse, garran, gelding, colt or mare *rl.s. of lawfull mony of Ireland, the one moitie of the said penaltie of rl. s. to be to the King and Queen her graces heires and successors, and thother moity thereof to be to such person as will sue for the same by action of debt, by original writ or bill, before the Justices of their graces bench or common place within this realm of Ireland, in which actions the defendant shall not wag his law nor none essoine nor portection for the defendant shall lie nor be allowed in the said action. Provided alwaies, that this act nor any thing therein conteyned shall nor extend nor be prejudicial to any carter, carrier, miller, baker, nor tanner buying horse, garran, gelding, colt or mare for serving them & every of them in that his or their facultie or trade. Provided also this act nor any thing therein conteyned shall not extend nor be prejudicall to any cottier or labouring man in husbandry, nor horseboy nor kearnagh, but that they and every of them may yearly from the first of August till the last day of October then next following, buy and have a horse, garran, gelding, colt or mare to labour and draw home such corne and other things as they and every of them shall have to doe from the first day of August till the said last day of October yearly.*

CAP. VI.

An Act that owners of goods stolen may be restored thereunto.

Rott parl. cap. 15

Eng R. 21
158. cap 21. 1.
32. R. 8. 68
cap: 10.

If the party
robbed can-
not have his
stone goods
restored that
he shall have
as much of
the felons

A debt lies
against
them that
have the po-
session of
the goods

Aqua vitæ
not to be
made but
by peers
freemen or
gentlemen

penalty 4.
and impri-
sonment
during
pleasure

Whereas divers the King and Queens Majesties Subjects of this Realm, have caused the bodies of such felons as stole their goods from them to be apprehended and brought to answer to the law for that Malefactor, or have done their diligence to have them taken, whereupon the malefactours hath been arraigned and attainted, or otherwise have fled away for that cause, and yet for that the said malefactor had dispersed and put abroad the goods stolen amongst Irishmen, and otherwise, the partie could not have or come by his said goods to his utter impoverishing: For remedie whereof, bee it enacted by the Lords spiritual and temporall, and the commons in this present parliament assembled, & by the authoritie of the same, That in case the partie from whom any goods or cattels hath been or shall be stolen or his executors cannot come by the goods so stolen, that then he or his executors shall have of the felons goods that stole his goods, and shall be attainted, condemned or pardoned for the same or percase have fled or shall lie away for the same cause, to the value of the good from him stolen and dispersed as is aforesaid, to be delivered to him or his executors by the hands of the Sherife, or any other person or persons having the possession of the same goods. And the Sherife or hee that maketh such deliberie to the partie or to his executors, to be discharged for so much as he shall deliver against the King and Queens Majesties her heires or successors of the said Queen, and if the Sherife or such person or persons having the said goods, will refuse to deliver to the partie or to his executors of the said felons goods, to the value of the goods stolen as is aforesaid, that then he or they refusing so to doe, to forfeit to the said partie or to his executors, the value of the said stolen goods in case there came so much in value to his or their hands, for the which the said partie or his executors shall have an action of debt against the said Sherife, or any other person or persons, and against their executors, to whose possession the said goods came or shall come. as is aforesaid, in which action no law wager, protection, nor essoine shall be allowed.

CaP. VII.

An Act against making of Aqua vite. Rott, Parl. cap. 16.

Foasmuch as Aqua vite, adrink nothing profitabile to be daily drunk-
en and used, is now universallly throughout this Realm of Ire-
land made, and especially in the borders of the Irishry and
for the furniture of Irish men, and thereby much corn grain and o-
ther things are consumed, spent, and wasted, to the great hinderance
losse and damages of the poore inhabitants of this realm: Be it there-
fore enacted ordayned and established by our Sovereign Lord and
Lady the King and Queens Majestie, the Lords spirituall and tempo-
rall and the commons in this present parliament assembled, and by
authoritie of the same, that no person nor persons from henceforth
without having the Lord Deputie of this Realms licence, sealed
with the great seal of this Realm, make any aqua vite within this
Realm upon pain of imprisonment at the Deputies pleasure, and
to forfeite for every time so offending and making of aqua vite four
pound of lawfull mony of Ireland, the one moytie to the said penaltie
of four pound be to the King and Queen, her heires and successors,
and the other moytie thereof to be to such person as will sue for
the same by action of debt, by original writ or bill, before the Justices
of their graces bench, or common place within this Realm of Ireland
in which action the defendant shall not wage his law nor none
essoine nor portection for the defendant shall lye or be allowed in the
said

said action. Provided alway that this Act nor any thing therein conveyed, shall not extend nor be prejudiciall to any Peers of this Realm, nor to no Gentleman of the same, that may dispend to his own use in lands or tenements for terme of life or inheritance ten pounds sterling by the yeare, nor to no free man dwelling in any citie or borough town within this realm that is charged with burgeses to the parliament, but that they the said Peers, Gentlemen and freemen and every of them shall make ^{aqua vitæ} for their own expences onely.

STATUTA, ORDIN, Actus et provisiones Edit. in Quodam parlamento Illustrissimæ principis dominæ nostræ Elizabeth Dei gratia Reginæ Angliæ, Franciæ & Hiberniæ fidei defensor. &c. virtute commissionis & mandati dictæ dominæ Reginæ sub magno sigillo suo Angliæ apud dublin. die veneris proxim' ante festum sancti Hilarij, viz. xij. die Januarij anno regni prædictæ dominæ Reginæ secundo, coram charissimo consanguineo & consiliar. suo Thoma Comite Suffex, ordinis sui garterij milite, capitaneo omnium generosorum pensionarior' suorum ad arma, capitali Iustic' omnium forestarum, parcorum & chacearum suarum citra Trentam, ac deputato ejusdem dominæ Reginæ regni sui Hiberniæ tenet' & ibidem continuat. usque ad primum diem Februar. tunc proxim' sequent' & eodem primo die Februarii dissoluto, finito & determinatò. Anno domini. 1560.

CAP. I.

An Act restoring to the Crown the auncient jurisdiction over the State ecclesiasticall and spirituall, and abolishing all forreine power repugnant to the same.

Most humbly beseech your most excellent Majestie, your faithfull and obedient subjects the Lords spirituall and temporall, and the commons in this present Parliament assembled, That where in the time of the reign of your most dear father of worthy Eng 0: 1: 1: memorie King Henry the eighth, divers good lawes and statutes were made and established, as well for the utter extinguishment and putting a way of all usurped and forreine powers and authorities out of this your realm, as also for the restoring and uniting to the imperial crown of this realm the auncient jurisdictions, authorities super-^{great}eractions, and prebeminences to the same, of right belonging and appertayning, by reason whereof we your most humble and obedient subjects from the xxviii. year of the reign of your said dear father were continually kept in good order, and were disburdened of divers great and intollerable charges and eractions befoze that time, unlawfully ^{by forraign power befoze the 28 year of the} taken and erected by such forreine power and authoritie, as befoze that was usurped, untill such time as all the said good lawes and statutes by one Act of Parliament made in the third and fourth years of the reigns of the late King Philip and Queen Mary your highnesse sister, intituled, An Act repealing all estatutes, articles, and provisions made against the Sea Apostolique of Rome, sithence the twentieth year of King Henry the eighth and also for the abolishment of spirituall and ecclesiasticall possessions and hereditaments conveyed to the laitie, were cleerly repealed and made voyd, as by the same Act of repeal more at large doth and may appear, by reason of which Act of repeal, your said humble subjects were eftsoones brought under an usurped forreine power and authoritie, and yet doe remaine in that bondage, to the intollerable charges of your loving subjects, if some redresse by the authoritie of this your high court of Parliament with the assent of your highnesse, be not had and provided. May it therefore please your highnesse for the repressing of the said usurped forreine power, and the restoring of the rights, jurisdictions and prebeminences appertayning to the imperiall crown of this your Realm,

C i r

that

the Statutes 28.
 33. 38.
 cap 6.
 & 9. rebi-
 bed

part of an
 other Act
 33. 38.
 cap 6. rebi-
 bed

Repeal of
 the 3. 6. 4. 11.
 9. 11.

and the Sta-
 tutes therein
 rebi-
 bed.

that it may be enacted by authority of this present Parliament. That the said Act made in the third and fourth years of the reigns of the said late King Philip and Queen Mary, and all & every branch, clause and articles therein contained, other than such branches, clause and sentences as hereafter shall be excepted, may from the last day of this Session of Parliament by authority of this present Parliament be repealed, and shall from thenceforth be utterly void and of none effect and that also for the reviving of divers of the said good lawes and statutes, made in the time of your said deere father, it may also please your highnesse that one Act and estatute made in a Parliament holden at Dublin the first of May in the eight and twentieth year of the said late King Henry the eighth, and after proroged, adjourned and continued, as by the roll of the said Parliament more at large appeareth, intituled, The Act of appeals, and also one act made in the said parliament, intituled, The Acts of faculties, and also all and every branches, words, and sentences in the said severall acts and estatutes conteyned by authority of this present Parliament from and at all times after the last day of this session of Parliament shall be revived, and shall stand and be in full force and strength to all intents, constructions and purposes, and that the branches, sentences and words of the said severall Acts, and every of them from thenceforth shall and may be judged, deemed and taken to extend to your highnesse, your heires and successours as fully and largely as ever the same acts or any of them did extend to the said late Henry the eighth your highnesse father. And that it may also please your highnesse that it may be enacted by authority of this present parliament, that so much onely of one act or estatute made in a parliament begun at Dublin the xiii. of June in the xxxiii. year of the reign of your said deere father King Henry the eighth, and after proroged adjourned and continued as by the Rolles of the said parliament more at large appeareth, intituled, an act for mariage as doth touch & concern degrees of consanguinitie, may from henceforth likewise stand & be revived, and remain in full force and strength, to all intents & purposes, any thing in this said act of repeal before mentioned, or other matter or cause to the contrary notwithstanding. And that it may also please your highnesse, That it may be further enacted by the authority aforesaid, that all other lawes and statutes, and the branches and clause of any act or estatute repealed and made void by the said act of repeal made in the time of the said late King Philip and Queen Mary, and not in this present act specially mentioned and revived, shall stand, remain, and be repealed and void in such like manner and form as they were before the making of this act, any thing herein contained to the contrary notwithstanding. And that it may also please your highnesse that it may be enacted by the authority aforesaid, that one act or estatute made in the third and fourth years of the said late King Philip and Queen Mary, intituled, an act for rebuying of three estatutes made for the punishment of heresies, and also the said three estatutes mentioned in the said act, and by the same act revived, and all & every branches, articles, clauses and sentences, contained in the said severall acts or estatutes and every of them, shall be from the last day of this Session of Parliament, deemed, and remain utterly repealed, void, and of none effect, to all intents & purposes, any thing in the said severall acts, or any of them conteyned, or any other matter or cause, to the contrary notwithstanding. And to the intent that all usurped & foreign power and authority spiritual and temporal, may for ever be cleerly extinguished

extinguished, and never to be used or obeyed within this Realm, may it
 please your highness that it may be further enacted by the authority
 aforesaid, that no foreign Prince, Parson, Prelate State or potentate
 spiritual or temporal, shall at any time after the last day of this Session
 of Parliament, use, enjoy, or exercise, any manner of power, jurisdic- ^{the abol-}
 tion, superiority, authority, prebeminence or privilege spiritual or ^{thing foreign}
 ecclesiastical within this Realm, but from henceforth the same shall be ^{power}
 clearly abolished out of this Realm for ever, any estatute, ordinance,
 custome, constitutions, or other matter or cause whatsoever to the con-
 trary in any wise notwithstanding. And that also it may likewise
 please your highness, that it may be established and enacted by the au-
 thority aforesaid, that such jurisdiction, privileges, superiorities and
 prebeminences spiritual and ecclesiastical, as by any spiritual or eccle-
 siastical power or authority, hath heretofore been or may lawfully be
 exercised or used for the visitation of the ecclesiastical state and persons ^{co. pla. 465}
 and for reformation, order and correction of the same & of all manner ^{a. 487.}
 errors, heresies, schismes, abuses, offences, contempts and enormi-
 ties shall for ever by authority of this present Parliament, be united
 and annexed to the Imperial Crown of this Realm, and that your
 highness, your heyres and successors Kings or Queens of this Realm
 shall have full power and authority by vertue of this act by letters pa-
 tents under the great Seal of England or of this Realm, and the Lord
 Deputy and other governour or governours of this Realm for the time being, shall have likewise full power and authority by vertue of
 this Act by letters patents to be made by his or their warrants under ^{the great Seal of this Realm, to assigne, name & authorize when and}
 as often as your highness your heyres and successors, or the Lord de- ^{as often as your highness your heyres and successors, or the Lord de-}
 puty, governour or governours of this Realm for the time being shall ^{think meet and convenient, and for such & so long time as shall please}
 think meet and convenient, and for such & so long time as shall please ^{your highness, your heyres or successors, or the Lord deputie, gover-}
 your highness, your heyres or successors, or the Lord deputie, gover- ^{nour or governours of this Realm for the time being, such person or}
 nour or governours of this Realm for the time being, such person or ^{persons being natural born subjects to your highness your heyres}
 persons being natural born subjects to your highness your heyres ^{or successors as your Majestie, your heyres or successors, or the Lord}
 or successors as your Majestie, your heyres or successors, or the Lord ^{deputie, governour or governours of this Realm for the time being}
 deputie, governour or governours of this Realm for the time being ^{shall think meet to exercise, use, occupie and execute under your high-}
 shall think meet to exercise, use, occupie and execute under your high- ^{ness your heyres and successors, all manner of jurisdiction, privileges}
 ness your heyres and successors, all manner of jurisdiction, privileges ^{and prebeminences in any wise touching or concerning any spirituall}
 and prebeminences in any wise touching or concerning any spirituall ^{or ecclesiastical jurisdiction within this your Realm of Ireland, and}
 or ecclesiastical jurisdiction within this your Realm of Ireland, and ^{visite, reforme, redress, order correct and amend all such errors, here-}
 visite, reforme, redress, order correct and amend all such errors, here- ^{lies, schismes, abuses, offences, contempts and enormities whatsoever}
 lies, schismes, abuses, offences, contempts and enormities whatsoever ^{which by any maner spiritual or ecclesiastical power, authority or ju-}
 which by any maner spiritual or ecclesiastical power, authority or ju- ^{risdiction can, or may lawfully be reformed, ordered, redressed, corrected,}
 risdiction can, or may lawfully be reformed, ordered, redressed, corrected, ^{restrained or amended, to the pleasure of Almighty God, the increase of}
 restrained or amended, to the pleasure of Almighty God, the increase of ^{vertue, and the conservation of the peace and unitie of this realm, and}
 vertue, and the conservation of the peace and unitie of this realm, and ^{that such person or persons so to be named, assigned, authorized and ap-}
 that such person or persons so to be named, assigned, authorized and ap- ^{pointed by your highness, your heyres or successors, or by the Lord}
 pointed by your highness, your heyres or successors, or by the Lord ^{deputie, governour or governours of this Realm for the time being}
 deputie, governour or governours of this Realm for the time being ^{in maner aforesaid, after the said letters patents to him or them made}
 in maner aforesaid, after the said letters patents to him or them made ^{and delibered as is aforesaid, shall have full power and authority by}
 and delibered as is aforesaid, shall have full power and authority by ^{vertue of this Act, and of the said letters patents under your highness}
 vertue of this Act, and of the said letters patents under your highness ^{your heyres or successors, to exercise, use and execute all the premises}
 your heyres or successors, to exercise, use and execute all the premises ^{according to the tenour and effect of the said letters patents: any mat-}
 according to the tenour and effect of the said letters patents: any mat- ^{ter or cause to the contrary in any wise notwithstanding. And for the}
 ter or cause to the contrary in any wise notwithstanding. And for the ^{better observation & maintenance of this act may it please your high-}
 better observation & maintenance of this act may it please your high- ^{ness that it may be further enacted by the authority aforesaid; That}
 ness that it may be further enacted by the authority aforesaid; That

who are
compellable
to take the
oath

the oath of
supremacy

the penalty
for refusing
the oath

all and every Archbishop, Bishop and all and every other ecclesiastical person, and other ecclesiastical officer and minister, of what estate dignitie, preheminance or degree soever he or they be or shall be, and all and every temporall Judge, Justicer, Mayor, and other lay or temporall officer and minister, and every other person having your highnesse fee or wages within this Realm, shall make, take and receive a corporall oath upon the Evangelists before such person or persons as shall please your highnesse your heires or successours under the great seal in England, or of this Realm, or the Lord deputie or other governour or governors of this Realm for the time being by letters patents to be made by his or their warrant under the great seale of this Realm to alligne and name to accept and take the same according to the tenour and effect hereafter following, that is to say, **I A. B.** doe utterly testifie and declare in my conscience, that the Queens highnesse is the onely supream governour of this Realm and of all other her highnesse dominions and countries, as well in all Spirituall or Ecclesiastical things or causes, as temporall, and that no forreine Prince, Parson, Prelate, State or Potentate, hath or ought to have any jurisdiction, power, superiortie, preheminance, or authoritie, Ecclesiastical or Spirituall within this Realm, and therefore I doe utterly renounce and forsake all foraine jurisdictions, power, superiorties and authorities, and doe promise that from henceforth I shall bear faith and true allegiance to the Queens highnesse, her heires and successours, and to my power shall assist and defend all jurisdictions, privileges, preheminances and authorities graunted or belonging to the Queens highnesse, her heires and successours, or united and annexed to the Imperiall Crown of this Realm, so help me God, and by the contents of this booke. And that it may be also enacted, that if any such Archbishop, Bishop, or any other Ecclesiastical officer or minister, or any of the said temporall Judges, justicer, or any other Lay officer or minister shall peremptorily, or obstinately, refuse to take or receive the said oath, that then he so refusing shall forfeit and lose onely during his life, all and every Ecclesiastical and Spirituall promotion, benefice and office, and every Temporall and Lay promotion and office which he hath sole at the time of such refusall made. and that the whole title interest and incumbencie in every such promotion, benefice and other office as against such person onely so refusing during his life shall cleerely cease and be void as though the partie so refusing were dead and that also all and every such person and persons so refusing to take the said oath, shall immediately after such refusall be from thenceforth during his life, disabled to retaine or exercise any office or other promotion, which he at the time of such refusall had jointly or in common with any other person or persons, and that all and every person and persons that at any time hereafter shall be preferred, promoted or collated to any Archbishopricke, or Bishopricke, or to any other Spirituall or Ecclesiastical benefice, promotion, dignitie, office, or ministrie, or that shall be by your highnesse your heires or successours preferred or promoted to any temporall or Lay office, ministrie or service within this realm, before he or they shall take upon him or them to receive, use, exercise, supply or occupie any such Archbishopricke, Bishopricke, promotion, dignitie, ministrie, office or service shall likewise make take and receive the said corporall oath before mentioned upon the Evangelist, before such persons as have or shall have authoritie to admite any such person to any such office, ministrie or service or else before such person or persons as by your highnesse your heires

or successours by commission under the great Seal of England or of
 this Realm, or by the Lord Deputie or other governour or governours
 of this Realm for the time being, by letters patents to be made by his
 or their warrant under the great Seal of this realm, shall be named,
 assigned or appointed to minister the said oath. And that it may like-
 wise be further enacted by authoritie aforesaid, that if any such person
 or persons as at any time hereafter shall be promoted, preferred, or
 collated to any such promotion spirituall or ecclesiasticall benefice, office
 or ministry, or that by your highnesse, your heires or successours
 shall be promoted or preferred to any Temporall or Laye office, mi-
 nistrarie or service, shall and doe peremptorily and obstinately refuse
 to take the same oath so to him to be offered that then he or they so refus-
 ing, shall presently be judged disabled in the law to receive, take and
 have the same promotion spirituall or ecclesiasticall, the same tempor-
 all office, ministrarie or service within this realm to all intents constructi-
 ons and purposes. And that it may be further enacted, by the au-
 thoritie aforesaid, that all and every person and persons temporall,
 suing liberie or ousterlemain out of the hands of your highnesse, the oath to
 your heires or successours before his or their livery or ousterlemain sued him who
 forth and allotted and every temporall person or persons doing any such libery
 homage to your highnesse your heires or successours, that shall be re-
 ceived into service with your highnesse, your heires or successours shall
 make, take and receive the said corporall oath before mentioned before
 the Lord Chauncelloz of Ireland, or keeper of the great seal for the
 time being, or before such person or persons as by your highnesse, your
 heires or successours or by the Lord Deputie or other governour or go-
 vernours of this Realm for the time being, by letters patents to be made
 by his or their warrants under the great seal of this Realm shall be
 named and appointed to accept and receive the same, and that also all
 and every person and persons taking orders and all and every other
 person and persons which shall be promoted or preferred to any degree
 of learning, in any Universitie that hereafter shall be within this
 your Realm before he shall receive or take any such orders or be preferred
 to any such degree of learning shall make, take & receive the said oath by
 this act set forth and declared as is aforesaid, before his or their ordi-
 nary, Commissary, Chauncelloz or vice Chauncelloz or their suffi-
 cient deputies in the said Universitie. Provided alway, and that it
 may be further enacted by the authoritie aforesaid, that if any person
 having any estate of inheritance in any temporall office or offices shall
 hereafter obstinately and peremptorily refuse to accept & take the said
 oath as is aforesaid, and after at any time during his life, shall wil-
 lingly require to take and receive the said oath, and so to take and
 accept the same oath before any person or persons that shall have law-
 full authoritie to minister the same, that then every such person im-
 mediately after hee hath so received the same oath, shall be vested, judg-
 ed and deemed in like estate and possession of the said office, as he was
 before the said refusall, and shall and may use and exercise the said
 office in such manner and forme as hee should or might have don
 before such refusall any thing in this act conteyned to the contrary
 in any wise notwithstanding. And for the more sure obserbation
 of this act and the utter extinguishment of all forrein and usurp-
 ed power and authoritie: May it please your highnes that it may
 be further enacted by the authoritie aforesaid, that if any person or
 persons dwelling or inhabiting within this your Realm of what estate
 dignitie or degree soever he or they be after the end of thirtie daies next
 after

the penalty
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 ing by
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 forrein
 jurisdiction
 in this
 Realm

first offence
forfeiture of
goods and
chattels

If he has
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value of 20 l
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If an
Ecclesiasti-
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the second
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the third
offence high
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offences
within this
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words to
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halfe a year

after the determination of this Session of this present parliament shall by writing, printing, teaching, preaching, expresse words deed or act advisedly, maliciously, & directly affirm hold, stand with, set forth, maintain & defend, the authority prebeminence, power, or jurisdiction spiritual or ecclesiastical of any forrein Prince, Prelate, Person, State or potentate whatsoever heretofore claymed, used or usurped within this realm, or shall advisedly, maliciously and directly put in ure or execute any thing for the extolling, advancement, setting forth, maintenance or defence of any such pretended or usurped Jurisdiction, power, prebeminence or authority or any part thereof, that then every such person and persons so doing and offending, their abettours aydours, procurers, and counsellours being thereof lawfully convicted and attainted according to the due order and course of the common lawes of this Realm, for his or their first offence, shall forfeit and lose unto your highness, your heires and succellours all his and their goodes and chattels as well reall as personal, and if any such person so convicted or attainted shall not have or be worth of his proper goods and chattels to the value of twentie poundes at the time of such his conviction or attayndour that then every such person so convicted and attayned over an besides the forfeiture of all his said goodes and chattels shall have and suffer imprisonment by the space of one whole year without bayl or maineprise, and that also all and every the Benefices, Prebends and other Ecclesiasticall promotions and dignities whatsoever of everie spirituall person so offending and being attainted, shall immediately after such attaindour bee utterly voyd to all intentes and purposes, as though the incumbent thereof were dead, and that the Patron and Donour of every such Benefice Prebend, Spirituall promotion and dignitie, shall and may lawfully present unto the same, or give the same in such manner and form as if the said incumbent were dead, and if any such offendour or offendours after such conviction or attaindour, doe eftsoones commit or doe the said offences or any of them in manner and form aforesaid, and be thereof duely convicted and attainted as is aforesaid, that then every such offendour or offendours shall for the same second offence, incur into the dangers, Penalties & forfeitures, ordeyned & provided by the Statute of provision and premunire made within the Realm of England in the sixteenth year of the reign of King Richard the second, and if any such offendour or offendours at any time after the said second conviction and attaindour, doe the third time commit and doe the said offences or anie of them in manner and form aforesaid, and be thereof duely convicted, and attaynted as aforesaid, that then everie such offence or offences shall bee deemed and adjudged high Treason, and that the Offendour and the Offendoures therein being thereof lawfully convicted and attainted according to the Lawes of this Realm, shall suffer paines of death, and other penalties, forfeitures and losses as in cases of high Treason, by the Lawes of this Realm and also that it may likewise please your highnesse, that it may be enacted by the authoritie aforesaid, that no manner of person or persons shall bee molested or impeached for any the offences aforesaid, committed or perpetrated onely by preaching, teaching or wordes, unlesse hee or they be thereof lawfully indicted within the space of one half year next after his or their offences so committed, and in case any person or persons shall fortune to be imprisoned for any of the said offences committed by preaching, teaching or wordes onely, and be not thereof indicted within the space of one half year, next after his

or their such offence so committed and done, that then the said person so imprisoned shall be set at libertie and be no longer detained prisoner for any such cause or offence. Provided alwayes and be it enacted by authoritie aforesaid, that this Act or any thing therein contayned, shall not in anie wise extend to repeal any clause, matter or sentence conteyned or specified in the said Act of repeal made in the said third and fourth years of the reignes of the said late King Philip and Queen Mary, as doth in any wise touch or concerne any matter in case of Premunire, or do make or ordeine any matter or cause to be within the case of Premunire, but that the same for so much onely as toucheth and concerneth any case or matter of Premunire, shall stand and remaine in full force and effect as the same was before the making of this Act, any thing in this Act contained to the contrary in any wise notwithstanding. Provided also, and be it enacted by the authoritie aforesaid, that this Act or any thing therein contayned, shall not in any wise extend or be prejudiciall to any person or persons for any offence or offences committed or done or hereafter to be committed or done contrary to the tenour and effect of any act or estatut now revibed by this act before the end of thirty daies next after the end of this session of this present parliament, any thing in this act contained, or any other matter or clause to the contrary notwithstanding. And if it shall happen that any Peere of this realm shall fortune to be endicted of and for any offence that is revibed or made Premunire, or treason by this act, that then the same Peere or Peeres so being endicted, shall be put to answer to every such endictment before such Peere of this realm, of English ^{tryal by} blood, as by the Lord Deputy or governour or governours of this ^{Peers} realm shall be by commission appointed under the broad seal, and to have his and their tryall by his and their Peeres, and to receive and have such like judgment upon the same triall of his or their Peeres or making open confession of the same offence or offences, as in other cases of Treason and Premunire hath been used. Provided alwayes and be it enacted as is aforesaid, that no manner of order, Act or determination for any matter of Religion or cause Ecclesiasticall, had or made by the authoritie of this present Parliament, shall be accepted, deemed, interpreted or adjudged at any time hereafter to bee any error, heresie, schisme or schismaticall opinion any order, decree, sentence, constitution or law whatsoever the same bee to the contrary notwithstanding. ^{what mat-} Provided alwayes and be it enacted by the autho- ^{ters to be} rity aforesaid, that such person or persons to whom your highnesse, ^{adjudged} your heires or successours shall hereafter by letters patents under the ^{verity:} great seal of England, or of this Realm or the Lord Deputy or other governour or governours of this Realm for the time being, by letters patents to be made by his or their warrant under the great scale of this Realm, give authoritie to have or execute any jurisdiction, power or authoritie spirituall or to visite reform order or correct any errors, heresies, schismes, abuses or enormities, by vertue of this Act shall not in any wise have authoritie or power to order determin or adjudge any matter or cause to be heresie but onely such as heretofore hath bene determined, ordered or adjudged to bee heresie by the authoritie of the Canonickall Scriptures, or by the first four generall Counsailes, or any of them, or by any other generall Counsaile, wherein the same was declared heresie, by the expresse and plain words of the said Canonickall Scriptures, or such as hereafter shall bee ordered, judged or determined to bee heresie by the high Court of Parliament of this

two witness-
es necessary
for any the
offences
within this
Act

Realm any thing in this Act contayned to the contrarie notwithstanding. And bee it further enacted by authoritie aforesaid, that no person or persons shall bee hereafter endicted or arraigned for any the offences made, ordeyned revibed and adjudged by this act, unlesse there be two sufficient witnesses or moze to testifie and declare the said offences, whereof bee should bee indicted or arraigned, and that the said witnesses or so many of them as shall bee living and within this Realm at the time of the arrainement of such person so indicted, shall be brought forth in person face to face before the partie so arraigned and there shall testifie and declare what they can say against the partie so arraigned if he require the same. Provided and bee it further enacted by the authoritie aforesaid, that if any person or persons shall hereafter happen to give any reliefe, ayd or comfort, or in any wise bee ayding, helping or comforting to the person or persons of any that shall hereafter happen to bee an offendour in any matter or case of Pre-munire or treason revibed or made by this Act, that then such reliefe, aid or comfort given shall not be judged or taken to be any offence unlesse there be two sufficient witnesses at the least that can and will openly testifie and declare that the person or persons that so gave such reliefe, ayd or comfort had notice and knowledge of such offence committed and done by the said offendour at the time of such reliefe, ayd or comfort so to bee given or ministred, any thing in this act conteyned, or any other matter or cause to the contrary in any wise notwithstanding.

CAP. II.

An Act for the uniformitie of Common prayer and Service in the Church and the administration of the Sacraments.

act of uni-
formity
Eng: St: 1.
El: cap: 5.

WHere at the death of our late Soberaign Lord King Edward the 6. there remained one uniforme order of Common service, prayer and of the administration of Sacraments, rites and Ceremonies in the Church of England, which was set forth in one book intituled the Book of Common prayer, and administration of Sacraments, and other rites and Ceremonies in the Church of England, authorized, by Act of Parliament, holden in the said Realm of England in the fifth and sixth years of our said late Soberaign Lord King Edward the 6. intituled An Act for the uniformitie of Common prayer, and administration of the Sacraments, the which was repealed and taken away by Act of Parliament in the said realm of England, in the first year of the reign of our late Soberaign Lady Queen Mary, to the great decay of the due honour of God, and discomfort to the professors of the truth of Christs Religion. Be it therefore enacted by the authoritie of this present Parliament, that the said Book with the order of Service, and of the administration of Sacraments, rites and Ceremonies, with the alteration and additions therein added and appointed by this estatute, shall stand and bee from and after the feast of Pentecost, next ensuing, in full force and effect according to the tenour and effect of this estatute. And further be it enacted by the Queens highnesse with the assent of the Lords and commons in this present parliament assembled, and by the authoritie of the same, that all and singular Ministers in any cathedrall or parish church, or other place within this realm of Ireland, shall from and after the feast of Saint John Baptist then next ensuing, bee bound to say and use the Mattens, Evening, celebration of the Lords supper, and administration of each of the Sacraments and all their common and open prayer in such

such order and form as is mentioned in the said Book so authorized by Parliament in the said first and sixth years of the reign of King Edward the 6. without alteration or addition of certain Lessons to be used in every Sunday in the year, and the forme of the Letanie altered & corrected & two sentences onely added in the delivery of the Sacrament to the Communicants, & none other or therwise, and that if any manner of person, Vicar or other whatsoever Minister that ought or should sing or say Common-prayer mentioned in the said Book, or minister the Sacraments from and after the feast of Saint John the Baptist aforesaid, refuse to use the said Common-prayers or to minister the Sacraments in such Cathedrall or Parish Church or other places as he should use to minister the same, in such order and form as they be mentioned and set forth in the said Book or shall wilfully or obstinately standing in the same use any other rite, Ceremony, order, form or manner of celebrating of the Lords Supper openly or privily, or Mattens, Evensong, administration of the Sacraments, or other open prayers is mentioned and set forth in the said Book. Open prayer in and throughout this Act, is ment that prayer which is for other to come unto, or hear, either in common Churches or privy Chappels, or Oratories, commonly called the service of the Church, or shall preach, declare or speak any thing in the derogation or depraving of the said Book, or any thing therein contained, or of any part thereof, and shall be thereof lawfully convicted according to the lawes of this Realm, by verdict of twelve men, or by his owne confession, or by the notorious evidence of the fact, shall lose and forfeit to the Queenes highnesse, her heires and successors, for his first offence the profit of all his spirituall benefices or promotions comming or arising in one whole year next after his conviction, and also the person so convicted, shall for the same offence suffer imprisonment by the space of six monthes without bayle or mainprize: and if any such person once convicted of any offence concerning the premises, shall after his first conviction eftsoones offend and be thereof in forme aforesaid lawfully convicted, that then the same person shall for his second offence suffer imprisonment by the space of one whole year, and after shall therefore be deprived (ipso facto) of all his spirituall promotions, and that it shall be lawfull to all Patrons or Donours of all and singular the same spirituall promotions, or any of them, to present or collate unto the same, as though the person or persons so offending were dead, and that if any such person or persons after he shall be twice convicted in the forme aforesaid shall offend against any of the premises the third time, and shall be thereof in forme aforesaid, lawfully convicted, that then the person so offending and convicted the third time, shall be deprived (ipso facto) of all his spirituall promotions, and also shall suffer imprisonment during his life: and if the person that shall offend & be convicted in forme aforesaid, concerning any of the premises, shall not be beneficed, nor have any spirituall promotion, that the same person so offending and convicted, shall for the first offence suffer imprisonment during one whole year next after his said conviction without bayle or mainprize: and if any such person not having any spiritual promotion, after his first conviction shall eftsoones offend in any thing concerning the premises, and shall in forme aforesaid, be thereof lawfully convicted, that then the same person shall for his second offence suffer imprisonment, during his life. And it is ordeyned and enacted by thauthority above said, that if any person or persons whatsoever

refusing to use the forme of common prayer

or using any other forme

the penalty for depraving the Book of common prayer

the penalty for the second offence

the penalty for the third offence

the penalty of an offender having no spirituall promotion

penalty for
despising
the Book
of common
prayer

or that cause
other prayer
to be said or
sung

first offence
a hundred
markes

2d offence
400 markes

third offence
forfeiture
of goods and
imprison-
ment during
life

the penalty
if the party
convict doe
not pay his
forfeiture
within the
time

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every person
shall resort
to his parish
church

for ever, after the said feast of Saint John Baptist, shall in any enterludes, playes, songs, rimes, or by other open words, declare or speake any thing in derogation, depraving or despising of the same Book, or of any thing therein containned, or any part thereof, or shall by open fact, deed, or by open threatnings compell or cause, or otherwise procure or maintaine any person, vicar or other minister in any Cathedral or parish church, or in Chappell, or in any other place, to sing or say any common and open Prayer, or to minister any sacrament otherwise or in any other maner and forme then is mentioned in the said Book, or that by any of the said meanes shall unlawfully interrupt, or let any Person, Vicar, or other minister in any Cathedral or paroch Church, Chappell, or any other place to sing or say common and open Prayer, or to minister the Sacraments or any of them in such maner and forme as is mentioned in the said Book, that then every such person being thereof lawfully convicted in forme abovesaid, shall forfeit to the Queen our soveraign Lady her heyres and successors for the first offence an hundred markes, and if any person or persons being once convict of any such offence eftsoones offend against any of the said recited offences, and shall in forme aforesaid be thereof lawfully convict, that then the same person so offending & convict shall for the second offence forfeit to the Queen our soveraign Lady, her heires & successors four hundred markes & if any person after he in forme aforesaid shall have been twice convict of any offence concerning any of the last recited offences, shall offend the third time, and be thereof in forme aforesaid lawfully convict, that then every person so offending and convict, shall for his third offence, forfeit to our soveraign Lady the Queen, all his goods and chattles, and shall suffer imprisonment during his life. And if any person or persons that for his first offence concerning the premises, shall be convict in forme aforesaid, doe not pay the summe to be payed by vertue of his condition in such maner and forme as the same ought to be paid within six weekes next after his conviction, that then every person so convicted and so not paying the same, shall for the same first offence, in stead of the said sum, suffer imprisonment by the space of six moneths, without bayle or mainprise: and if any person or persons that for his second offence concerning the premises, shall be convict in forme aforesaid, do not pay the said sum to be payed, by vertue of his conviction, and this estatute in such maner and forme as the same ought to be payed, within six weekes next after his said second conviction, that then every person so convicted and not so paying the same, shall for the same second offence in the stead of the said sum suffer imprisonment during twelbe moneths without bayl or manprise, and that from and after the sayd feast of Saint John Baptist, all and every person and persons inhabiting within this Realm, shall diligently and faithfully having no lawfull or reasonable excuse to be absent, endeavour themselves to resort to their Paroch Church or chappell accustomed, or upon reasonable let thereof, to some usall place where common prayer and such service of God shall be used in such time of let upon every Sunday and other dayes ordeyned and used to be kept as holy daies, and then and there to abide orderly and soberly during the time of the common prayer, preachings, or other service of God, there to be bled and ministered, upon pain of punishment by the Censures of the Church, & also upon pain that everie person so offending, shall forfeit for every such offence twelbe pence, to bee levied by the churchwardens of the Paroch where such offence shall bee done, to the use of the poore of the same Paroch, of the goods, lands & tenementes of such

such offendour by way of distresse, and for the due execution thereof, the Queenes most excellent Majestie, the Lords temporall and all the commons in this present Parliament assembled, doe in Gods name earnestly require and charge all Archbishops, Bishops, and other Ordinaries, that they shall endeavour themselves to the uttermost of their knowledges that the due and true execution thereof may be had throughout their Diocesse and charges as they wil answer before God for such evils and plagues wherewith almighty God may justly punish his people for neglecting this good and wholesome law, and for their authoritie in this behalfe, be it further enacted by the authoritie aforesaid, That all and singular the same Archbishops, Bishops, and all other their officers exercising ecclesiasticall jurisdiction, as well in place exempt, as not exempt, within their diocesse, shall have full power and authoritie by this Act to reforme, correct and punish by censures of the Church, all and singular persons which shall offend within anie their jurisdictions or Diocesse after the said feast of Saint John Baptist against this Act and estatute: any other law, estatute, priviledge, libertie or provision heretofore made, had, or suffered to the contrarie notwithstanding. And it is ordeyned and enacted by the authoritie aforesaid, that all and every Justices of the Peace, Gaole deliberie, of oyer and determiner, or Justices of Assise, shall have full power and authoritie in every of their open and generall Sessions, to enquire, heare and determine all and all manner of offences that shall be committed or done, contrarie to any Article conteyned in this present Act within the limits of their commission to them directed, and to make procelle for the execution of the same, as they may doe against any person being indited before them of trespassse, or lawfully convicted thereof. Provided alwayes, and be it enacted by the authoritie aforesaid, that all and every Archbishop and Bishop, shall or may at all time and times at his libertie and pleasure, joyne and associate himselfe by vertue of this Act to the said Justices of the Peace, Gaole deliberie, of Oyer and terminer, or to the said Justices of assise at every of the said open and generall Sessions to be holden in any place within his Diocesse, for, and to the enquire, hearing and determining of the offences aforesaid, Provided also and be it enacted by the authoritie aforesaid, that the Books concerning the said services shall at the costes and charges of the Parocheners of every paroch and Cathedral Church be attained and gotten before the said feast of Saint John the Baptist and that all such paroches and Cathedral Churches, or other places where the said Books shall be attained and gotten before the said feast of Saint John Baptist aforesaid, shall within three weeks next after the said Books so attained and gotten, use the said service, and put the same in ure according to this Act. And be it further enacted by the authoritie aforesaid, that no person or persons shall be at any time hereafter impeached or otherwise molested of or for any of the offences above mentioned, hereafter to be committed or done contrarie to this act unlesse hee or they so offending be thereof indicted at the next generall Sessions to be holden before any such Justices of the Peace, Gaole deliberie, of Oyer and determiner, or Justices of Assise next after any offence committed or done contrarie to the tenour of this Act. Provided always, and be it ordeyned and enacted by the authority aforesaid, that all and singular Lords of the Parliament for the third offence above mentioned shall be tryed by their Peers before such Peers of this Realm of English bloud, as by the Lord Deputy, or other governour or governors of this Realm for the time being, shall be by commission appointed

bishops
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bookes to
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pointed under the broad seal. Provided also, and be it ordayned and enacted by the authoritie aforesaid, that the Mayor of Dublin, and all other Majors, Baylives, and other head officers of all and singular Cities, Boroughes and townes corporat within this Realm, to the which Iustices of Peace or of Gaole deliberie, or assise, do not commonly repayre, shall have full power and authoritie by vertue of this Act, to enquire, heare and determine the offences abovesaid, and everie of them, yearly within fifteen dayes after the feast of Easter and Saint Michael the Archangel, in like maner and forme as Iustices of the Peace, Gaole delivery, assise, and over and terminer may doe. Provided alwayes, and be it ordayned and enacted by the authoritie aforesaid, that all and singular Archbishops and Bishops, and every of their Chauncellours, Commissaries, Archdeacons, and other Ordinaries, having any peculiar Ecclesiasticall jurisdiction shall have full power and authoritie by vertue of this act as well to enquire in their visitation, synodes and else where within their jurisdictions at any other time and place, and to take accusations and informations of all and every the things abovesaid, done committed or perpetrated within the limittes of their jurisdictions and authoritie, and to punish the same by admonition, excommunication, sequestration, or deprivation, and other censures and processes, in like forme as heretofore hath been used in like cases by the Queenes ecclesiasticall lawes. Provided alwayes, and be it enacted, that whatsoever person offending in the premisles shall for the offence first receive punishment of the Ordinarie having a testimonie thereof under the said Ordinaries seales, shall not for the same offence eftsoones be convicted before the Iustices, and likewise, receiving for the said first offence, punishment by the Iusticers, he shall not for the same offence eftsoones receive punishment of the Ordinarie: any thing conteyned in this act to the contrary notwithstanding. Provided alwayes and be it enacted that such ornaments of the Church and of the ministers thereof, shall be retained and be in use, as was in the Church of England by the authoritie of Parliament in the second year of the raigne of King Edward the first, untill other order shall be therein taken by the authoritie of the Queenes Majestie, with the advise of her commissioners appointed and authorized under the great seal of England, or of this Realm, for causes ecclesiasticall, or by the authoritie of the Lord Deputie, or other governour or governours of this Realm for the time being, with the advise of the counsaile of this Realm under the great seal of this realm, and also that if there shall happen any contempt or irreverence to be used in the ceremonies or rites of the church by the misusing of the orders appointed in this booke, the Queenes Majestie may by the like advise of the said commissioners, or the Lord Deputie, or other governour or governours of this Realm for the time being, may with the advise of the counsaile of this Realm, ordeine & publish such further ceremonies or rites as may be most for the advancement of Gods glorie, the edifying of this Church and the due reverence of Christs holy mysteries and sacraments. And be it further enacted by the authoritie aforesaid, that all lawes, statutes, and ordinances wherein or whereby any other service, administration of Sacraments or common prayer is limited established, or set forth to be used within this Realm, shall from henceforth be utterly voyd and of none effect: And forasmuch as in most places of this realm, there cannot be found English ministers to serve in the Churches or places appointed for common-prayer or to minister

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the Sacraments to the people, and that if some good meane were provided that they might use the Prayer, Service, and administration of Sacraments set out and established by this Act, in such language as they mought best understand: the due honour of God should be thereby much advanced, and for that also that the same may not be in their native language, as well for difficultie to get it Printed, as that few in the whole Realm can read the Irish letters. Wee doe therefore most humbly beseech your Majestie that with your highnesse favour and royall assent, it may be enacted, ordeyned, established and provided by the authoritie of this present Parliament, That in every such church or place, where the common minister or priest hath not the use or knowledge of the English tongue, it shall be lawfull for the same common Minister or Priest to say and use the mattens, evensong, celebration of the Lords supper, & administration of each of the Sacraments, and all their common and open Prayer in the Latin tongue, in such order & forme as they be mentioned and set forth in the said Book established by this Act, and according to the tenour of this Act, and none otherwise nor in other manner: any thing before expressed and conteyned in this Act to the contrarie notwithstanding.

CAP. III.

An Act for the restitution of the first fruits and xx. part and rents reserved *nomine x.* or xx. and of Parsonages impropriat to the imperiall crown of this Realm.

In their most humble wise beseechen your most excellent Majestie, your faithfull and humble subjects the Lords spirituall and temporall, and the commons of this your Realm in this present Parliament assembled, That where in the Parliament of your most noble father of famous memorie King Henry the eighth, holden at Dublin the first day of May, in the xviii. year of his prosperous raign and after prolonged, adjoyned, and continued as by the rolle of the same Parliament more at large appeareth, it was enacted, ordeyned and established by the authoritie of the same Parliament amongst other things, That his highnesse his heyres and successors Kings of the Realm of England, should have and enjoy from time to time to endure for ever, of every such person and persons which at any time after the first day of that Parliament should be nominated, elected, perfected, presented, collated, or by any other meanes appointed to have any Archbishopricke, Bishopricke, Archdeaconry, Deanry, Prebend, Parsonage, or Vicarage within the land and dominion of Ireland, of what name, nature, or qualitie soever they be, or to whose foundation, Patronage or gift soever they belong, the Annat commonly called within this land, the Anne first fruits, revenues, and profits for one year of every such Archbishopricke, Bishopricke, Archdeaconry, Deanry, Prebend, Parsonage and Vicarage afore named, whereunto any such person or persons should at any time or times after the said first day of that Parliament be nominated, elected perfected presented, collated, or by any other meanes appointed, and that every such person and persons before any actuall or reall possession or medling with the profits of any such Archbishopricke, Bishopricke, Deanry, Prebend, Parsonage, or Vicarage, should satisfie content and pay, compound or agree to pay to the Kings use at reasonable dayes upon good suerties, the said Annat or Anne the first fruits and profits for one year: and where also in the same Parliament it was enacted and established that the Kings Majestie his heyres and successors Kings of England, should have and enjoy from time to time to endure for ever, of every such person & persons, which at any time after the first day of the same

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Parliament

Eng: St: 1
El: cap: 4.

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Parliament should be nominated, elected, preferred, presented collated or by any other meanes appointed to any Abbey Priorie Colledge, Hospitall, the Priorie or Hospitall of Saint John the Baptist of Jerusalem in Ireland, or any Commaundrie of the same religion within the land and dominion of Ireland, of what nature or qualitie soever they be, or to whose foundation, patronage or gift soever they belong the Annate, commonly called within this land the Anne first fruits that is to say the revenues and profits for one whole yeare of every such Abbey, Prior, Colledge, Hospitall, the priorie or hospitall of Saint John Baptist of Jerusalem in Ireland, and of every the Comaundries aforesaid, whereunto such person or persons should at any time or times after the said first day of that Parliament be nominated, elected, preferred, presented, collated, or by any other meanes appointed, and that every such person and persons before any actual or reall possession or meddling with the profits of anie such Abbey, Prior, Colledge, Hospitall, the Priorie or Hospitall of Saint John the Baptist of Jerusalem, or any Commaundry, should satisfie, content and pay, compound or agree to pay to the Kings use at reasonable dayes upon good sureties the said Annat or Anne first fruits and profits for one whole year. And where also in the same Parliament it was enacted and established, that the Kings majestie his heyres and succellours Kings of the Realm of England, for more augmentation and maintenance of the royall estate of his imperiall Crown should yearly have, take, enjoy and receive united and knit to his imperiall Crown for ever, one yearly rent or pension, amounting to the value of the twentieth part of all the revenues, rents, fermes, tithes, emoluments, offerings, and of all other profits as well called spirituall as temporall then appertaining or belonging, or that thereafter should belong to any Archbishopricke, Bishopricke, Abbey, Monasterie, Priorie, Arc hdeaconry, Deanry, Hospitall, Commaundry, Colledge, house collegiate, Prebend, Cathedrall Church, collegiate Church, conventuall Church, Parsonage Vicarage, Chauntry, or free chappell, or other benefice or promotion spirituall of what name, nature or qualitie soever they bee within any diocesse of the said land, the said pension or Annuall rent to be yearly paid for ever to the Kings Majestie, his heyres and succellours Kings of England, at the feast of the Nativitie of our Lord God and the first payment thereof to begin at the feast of the Nativitie of our Lord God, a thousand five hundred thirtie and seven, and to be paid yearly by such as should be appointed to have the collection thereof by the said Act in such manner and forme as should after be limited by that Act by reason of which premisses the said perpetuall revenues of the first fruit and twentieth part graunted by the said acts, in augmentation and maintenance of the Crown of this Realm, were well and justly answered and payed unto the late Queen Mary your highnesse sisters use and behoofe, in her court of Exchequer within this Realm, like as the same had been unto the two noble Kings her said father and her brother by the space of twentie yeares, without griefe or contradiction of the Prelates and Cleargie of this Realm, to the great ayde, reliefe, and suppoztation of the inestimable charges of the crowne of this Realm, which daily sithence the time of the making of the said actes have encreased and growen more and more which thing although the said late Queen mought and did manifestly feel and perceibe to bee most true, yet shee by procurement of King Philip her late husband upon zealous and inconvenient respects,

not

not sufficiently nor politiquely ynough waying that matter, nor hab-
 ing due consideration and regard to the maintenance upholding and
 good continuance of the state of the imperiall crowne of this Realm in
 succession, which rather needed an augmentation then any diminuti-
 on, willed an Act of Parliament to be made and provided in the third
 and fourth years of the reigns of the said King Phillip and her, That
 all payments of the said first fruits should from thenceforth cease, and
 be cleerely extinct and determined for ever, and that as well all the
 said Benefices and spirituall promotions as the possessors, owners,
 and incumbents thereof, and their successours should from & after the
 eighth day of August in the second and third yeares of the said late
 King and Queen. and so from thenceforth at all times for ever to be
 cleerely exonerate acquitted and discharged against the said late King
 Phillip and Queen Mary, her heyres and successours, of and from the
 payment and payments of all and every the said first fruits in as ample
 and large manner and forme as they were before the making of the
 said acts in the first and originall graunts thereof in the said eight
 and twentieth year of the raigne of the said late King your noble father
 and as though the same had never been had ne made, and farther, that
 neyther the said perpetuall pension and Annuall rent or tenth menti-
 oned and contayned in the said Act made in the said eight and twen-
 tieth yeare of the raign of the said noble King Henry the eight, nor al-
 so the severall rents and tenthes reserved by and upon any letters pa-
 tents of your said noble father sithence the said eight and twentieth
 yeare of his raign, and of your said dearest brother, and the said King
 Phillip and Queen Mary, or eyther of them for and in the name of
 a tenth, or any of them from and after the first day of that Parlia-
 ment, should not bee payed or payable unto the said late King and
 Queen her heyres and successours, but that as well all and singu-
 lar the Archbishoppricks, Bishoppricks and other benefices, dignities
 deanies, and chapters, colledges, corporations and spirituall promoti-
 ons aforesaid, as all and every possessor, owner, proprietarie, and
 incumbent of the same, and their successours and every of them
 from and after the said first day of that Parliament, should be cleer-
 ly exonerated, acquitted and discharged, of and for the payment of the
 said perpetuall pension, Annuall rents, or tenthes aforesaid, and of
 the said tenthes reserved upon the said letters pattens, and of every
 of them against them, and the heyres and successours of the same late
 Queen for ever, and furthermore that the said late King Phillip and
 Queene Mary her heyres & successours from & after the first day of
 that Parliament should not receive, perceibe take & enjoy any the issues
 revenues, profitcs, or commodities of any the rectories, parsonages, be-
 nefices, gleabe lands, tythes, oblations, pensions, portions, and
 other profitcs and emoluments ecclesiasticall or spirituall which the
 said late King and Queen then had and enjoyed by title of inheritance
 in right of the said late Queen or of any of them, or of the reversion or
 reversions of them or of anie of them but in and by the said Act, the
 same late King and Queen cleerely gave over, renounced and relin-
 quished as well the said rectories, parsonages, benefices, gleabe lands
 tythes, oblations, pensions, portions, and other profitcs and emolu-
 ments ecclesiasticall and spirituall aforesaid, and every of them, and
 the reversion and reversions of them and every of them, and all their
 right, title, use, interest and demaund of, and in, or to the same from
 them and the heyres and successours of the same late Queen for ever,
 as also the said perpetuall pension, annuall rent and tenth, and also

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 not printed.
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 Concerning
 these pay-
 ments.

here ends
the recital
of the
fourth act

here the act
begins with
the repeal
of the act
of 30 + 1
and 32

first fruits
rebid in
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yearly rents reserved for and in the name of a tenth upon the said several letters patents, and all their right, title, and interest, which they or either of them, or the heyres or successors of the said late Queen had or might have had, in or to the same, the same yearly Pension, tenths yearly rents, Parsonages, emoluments, and profits to be perceived, taken, received, converted, employed, used, and disposed by the late reverend father in God Reginald Poole late Cardinall and Legate, and such other persons as he should name and appoint, and such other as been specially limited in the said Act, to and for certain uses, purposes and intents mentioned in the same Act, with divers provisions and savings in the same expressed and contained, as by the same more at large appeareth. Wee your said humble and obedient subjects, the Lords spirituall and temporall, and the commons in this your present Parliament assembled, calling to our remembrance the huge, innumerable, and inestimable charges of the royall estate and imperiall crown of this Realm, and how the same was left unto your Majestie at your first entry therunto, greatly diminished as well by reason of the said Act made in the said third and fourth years of the said King Philip and Queen Mary as otherwise doe conceive at the bottome of our hearts greate sorrow and heavinesse, as subjects carefull for their naturall and liege Soberaign Ladie, upon whom dependeth the suretie, worldy joy and wealth of us all, and being no lesse affected towards your Majesties most royall person, and the preservation and maintenance of the same, and of the estate and succession of your Majesties said crown, then were the first graunters of the said first fruits and twentieth part, towards your highnesse most noble Father, and his said royall estate, at the time of their said graunts to him thereof made, doe account of verie right and good congruence no lesse then our most bounden dutie, to move your Highnesse, and therewith most humbly to beseech the same, that the great disherison and decay committed and done to the Crown and estate royall of this your Realm, and the succession thereof by reason of the said Act made in the said third and fourth years of the reigns of the said late King Philip and Queen Mary at this Parliament be reformed and aboyded, and that with your highnesse favour and royall estate, it may be enacted, ordeyned, established and provided by the authoritie of this Parliament, in manner and form hereafter insuing, that is to say, that the said Act made in the third and fourth years of the reign of the said late King Philip and Queen Mary, and all articles, clauses and sentences therein conteyned, shall be from and after the first day of this present Parliament utterly and clearly repealed, made voyd, and of no force or effect, and all liberties and authorities graunted, limited and appointed, in, and by the said Act to the said late Cardinall Poole, or made or derived by force, strength or colour of the same Act, by or from the said late Cardinall, to any other person or persons, bodies politique or corporate to cease and be utterly void and determined, and that the said first fruits & all payments thereof from & after the said first day of this Parliament shall be rebid and have their being and continuance again, and be deemed and adjudged to all intents, constructions and purposes in the Queenes highnesse most royall person, her heyres and successors, and united and annexed to the imperiall crown of this Realm, of and in such like and the same estate, interest, title quality, sort degree and condition, and in as ample and beneficiall manner and form as the same was or were in the person or possessions of the said late Queen Mary and before the said eighth day of August, the said

said Act of extinguisment mentioned and expresse in the same Act
 of extinguisment, or any letters patters, or any other matter
 or thing, had done, or suffered by the said late King and Queen, or
 any of them to the contrary thereof in any wise notwithstanding, and
 also that as well so much of the said perpetuall & annuall twentieth
 part and pension graunted by the said Act made in the said eight and
 twentieth yeare of the raigne of the said late King Henry the eighth, as
 also so much of the said yearely rents reserved upon the said severall
 letters patents ^{nomine decime, or vicelime parties,} and also so manie of the
 said rectories, parsonages, and benefices improprieate, gleabe lands,
 tyethes, oblations, pensions, portions, and other profits and emolu-
 ments ecclesiasticall and spirituall aforesaid, and the reversion and
 reversions thereof, and all rents, emoluments, conditions and profits
 incident to the same as were in the hands and possession of the said late
 Queen Mary, at and before the said first day of the said Parliament
 holden in the said third and fourth years, shall from the twentieth day
 of November in the first year of the raigne of our said soveraign Lady
 Queen Elizabeth, be vested, adjudged, and deemed actually and real-
 ly in the seisin and possession of her Majestie, her heyres and success-
 ours to all intents, constructions and purposes, of and in such like,
 and the same estate interest, order, degree, quality, sort and condition
 and as fully, wholly, largely, beneficially as the same were in the seisin
 and possession of the said late Queen Mary at and before the first day of
 the said Parliament in the said third and fourth years, and that as
 well the said first fruits & twentieth part, as also the said annuall rents
 reserved ^{nomine decime, or vicelime,} and the said Rectories, Parsonages Be-
 nefices, gleabe lands, tyethes, oblations, pensions, portions, and other
 profits and emoluments ecclesiasticall and spirituall aforesaid, and
 every of them, and the reversion and reversions of them and of all
 rents and profits unto the same or any of them, incident or belonging,
 shall bee ordered and answerable in and at the Queens highnesse
 court of the Archequer in every degree, sort and condition as they
 were at and before the said first day of the said Parliament in the third
 and fourth years aforesaid, the said Act made in the said third and
 fourth years, or any other matter or thing to the contrarie there-
 of notwithstanding, and that all and every the said Actes and Sta-
 tutes made in the said eight & twentieth year of the said late King
 Henry the eighth, and all articles, clauses and sentences in them and
 every of them, continued shall be remaine and continue in their full
 and perfitte strength and force, and be observed and put in due executi-
 on according to the tenour and purports of the same, and of every of
 them, and that the Queens majestie her heyres and successors by the
 authoritie of this present Parliament, shall from the said first day of
 this present Parliament have, hold, possesse and enjoy for ever the ad-
 vobsons, gifts and patronages of all Vicarages belonging or incident
 to any of the said rectories and parsonages improprieate in the same
 sort, qualitie, condition and degree to all intents and purports as
 the same were in the person and possession of the late Queen Mary at
 and before the said first day of the said Parliament, in the said third
 and fourth years: any thing or Act done by the same late Cardinall,
 or any grant or graunts by letters patents made by the said late Queen
 Mary of the said advobsons & patronages, or any of them to any
 ecclesiasticall or spirituall person or persons, or any spirituall corpora-
 tion to the contrary in any wise notwithstanding, saving to all & every
 person or persons, bodies politique and corporate, and their heyres,

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executours,

executours, successours, and assignes, and every of them, other then such persons as be mentioned and named in any Letters patents made by the said Queen Mary at any time sithence the said first day of the said Parliament, in the said third and fourth years, or clayming onely by or under the authoritie and strength, of the same Act of Letters patents, or any of them, all such right, title, interest, estate, offices, leases, graunts, annuities, pensions, fees, corrodies, rentes, and other yearely profites and commodities as they or any of them ought or should have had, perceived or enjoyed of, in or by reason of any the parsonages, rectories, or of any other the premisses, in case the said former act now repealed, and this present act of repeale had never beene had ne made: any thing in the same acts, or any of them conteyned or sounding to the contrarie thereof in any wise to the contrarie notwithstanding. And bee it further enacted by the authoritie aforesaid, that from & after the said twentieth day of November and so from thenceforth from time to time the said pensions, annuities, rents, corrodies, fees, and other yearly payments shall be payed and payable onely by our said Sovereign Lady, her heirs and successours at the receipt of the Exchequer, or in such other places as the Queens Majestie her heyers and successours shall appoynt to all and every person and persons that ought to have and enjoy the same in such sort, order and form as the same should or ought to have been payed and payable in case the said act now repealed had never been had ne made: any thing therein or else in this Act contayned to the contrarie thereof in any wise notwithstanding. And be it further enacted by the authoritie aforesaid, that all and singular incumbents proprietaries, tenaunts, fermours, lessees and occuppers of the premisses or any part thereof, their heyres, executours and assignes which the sayd first day of this present Parliament were behinde, or in any arrearages of & with the rents, fermes, tyeths, twentieth part and other revenues profites or dueties by them or any of them due and payable for or by reason of the premisses or any of them, shall and may by the authoritie of this Act be severally chargeable, accomptable and answerable to the Queens Majestie her heyres and successours in & at the said court of the Exchequer, of and for the same arrearages and dueties as other the accomptants, been and shall be in the same court any thing in the said Act now repealed in this act, or any other matter or cause to the contrarie thereof in any wise notwithstanding, and yet neverthelesse the Queens most excellent Majestie at the humble request of her said subjects, of her abundant grace, and bountifullnesse is pleased and contented, that it bee enacted by the authoritie aforesaid, That all and singular Vicarages not exceeding the yearely value of sixe pounds thirteen shillings and four pence after the rate and value upon the Records and bookes of the rates and values of the first frutes and twentieth part now remayning in the Exchequer, or that shall hereafter come & remaine in the same Court, also all & singular Parsonages not exceeding the yearely value of five pounds after the like rate and valuation, and the incumbents thereof, and of every of them, their executours, administrators, successours, and suerties, and every of them from the said twentieth day of November, shall be free and cleerely discharged and acquitted for ever, against the said Queens Majestie, her heyres and successours, of and from the said first frutes, any thing in these Actes of the first frutes made in the said eight & twentieth year of the raigne of the sayd late King Henry the eight, or in this Act of repeale, or any other Act or Acts before

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before recited to the contrarie thereof in anie wise notwithstanding. Provided always, and be it enacted by the authoritie aforesaid, that if anie incumbent of anie such promotion spirituall as is aforesaid, charged or chargeable to the payment of the said first fruites happen to live to the end of one halfe year next after the last aboydance of the same promotion spirituall, so as he hath received, or without fraud or covin might lawfully have received & enjoyed the rents and profites of that halfe year, and before the end of the other halfe year then next following shall happen to die or to be lawfully evicted, removed or put from the promotion spirituall by judgement in any Action at the common law, without fraud or covin, that then every such incumbent, his heyres, executors, administrators, and suerties, shall be charged, and chargeable but onely with the fourth part of the first fruites due to be payed for such his promotion, and with no more of the said first fruites, any thing in this Act conteyned, or any bond or writing to be made for the payment of the said first fruites, or any other matter or cause to the contrarie notwithstanding. And if it shall happen anie such incumbent to live by the space of one whole year next after the last aboydauce of the same promotion spirituall, and after before the end of one whole year then next following shall fortune to die or to be lawfully evicted, removed or put from the said promotion spirituall by judgement in any action at the common law without fraud or covin, that everie such incumbent his heyres, executors, administrators and suerties shall be charged and chargeable but onely with the moitie and one halfe of the first fruites, due to be payed for such his promotion spirituall, and with no more of the same first fruites, any thing in this Act conteyned, or any bond or writing obligatorie to be made for the payment of the same first fruites, or any other matter or cause to the contrarie notwithstanding. And if it shall happen any such incumbent to live to the end of one whole year and a halfe then next after the last aboydauce of such promotion spirituall, and after and before the end of sixe moneths then next following, shall fortune to die or to be lawfully evicted, removed, or put from the said promotion spirituall by judgement, or any action at the common law, without fraud or covin, that then every such incumbent, his heyres, executors, administrators, and suerties shall be charged and chargeable but onely with three parts of the first fruites of the same promotion spirituall in foure parts to be devidid, and with no more: any thing in this Act conteyned, or any bond or writing obligatorie had or made for the payment of the first fruites, or any other matter or cause to the contrarie notwithstanding. And if it shall happen any such incumbent to live to the end of two whole years next after the last aboydauce of the same promotion spirituall, and not to be lawfully evicted, removed, or put from the said promotion spirituall as is aforesaid, that then every such incumbent, his heyres, executors, administrators and suerties shall content and pay to our said soveraign Ladie the Queen her heyres and successours, the whole first fruites due to be payed for the same promotion spirituall, according to the statutes aforesaid. Provided also, and be it enacted, that all leases made before the twentieth day of December in the first year of your Majesties reign for one and twentie years, or three lives at the most by anie person or persons, bodies politique or corporate, being lawfully seised of, or in any of the said Baronages imppropiate, or of or in any other the premises, wont commonly to be set or let to ferme then being out of lease, or whereof there was not at the time of the making of the said lease, any former lease to endure abobe one year

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then next to come at the most, and upon which new lease or leases the old yearly rent accustomed wont to be payed for the same the space of twentie years last before the making of such lease or leases, or more yearly rent is reserved and payable during the said term, & all other lawfull graunts by them or any of them heretofore made of any office or offices in old time wont commonly to be graunted, shall be as good and effectuell in the law as though this Act or any thing therein containned had not been had or made. Provided alwayes, and be it further enacted by the authoritie of this Parliament, that no person or persons presented, instituted or inducted at any time since the first day of this present Parliament, or that shall bee presented, instituted or inducted on this side the Feast of the Annunciation of our blessed Lady Saint Mary next comming, to any the said spirituall or ecclesiasticall promotions chargeable to or with the payment of the first fruits or one years profits of such promotion, shall incurre any penaltie or forfeiture by entring into any of the said spirituall or ecclesiasticall promotions, or by taking the profits thereof for the non payment or not compounding of or for the first fruits thereof, so that hee or any other for him, shall or doe compound for the same first fruits according to the true meaning of this Statute before the said Feast of the Annunciation of our blessed Lady Saint Mary: any thing in this Act containned to the contrarie notwithstanding. Provided also that this Act or any thing therein containned shall not in any wise extend to charge any Hospitall founded and used, and the possessions thereof imployed to, and for the relief of poore people or any School or Schooles, or the possessions or revenues of them or any of them with the payment of any twentieth part or first fruites: any thing in this act before mentioned to the contrarie in any wise notwithstanding.

hospitals
& schools
not to pay
first fruits

CAP. IV.

An Act for the conferring and consecrating of Archbishops and Bishops within this Realme.

FOrasmuch as the elections of the Archbishops and Bishops by Deanes and Chapters, within the Queens Majesties Realm of Ireland at this present time be as well to the long delay as to the great costes and charges of such persons as the Queens majestie giveth any Archbishopricke or Bishopricke unto, and whereas the said elections be in very deed no elections but onely by a Writ of conge deifier, have colours, shadowes, or pretences of elections, serving nevertheless to no purpose, and seeming also derogatorie and prejudiciall to the Queens prerogative royall, to whom onely appertaineth the collation and gift of all Archbishopricks and Bishopricks and suffragan Bishops within this her highnesse Realm: for a due reformation hereof, be it therefore enacted by the Queens highnesse, with the assent of the Lords spirituall and temporall, and the commons in this present Parliament assembled, and by the authoritie of the same, That from henceforth no such conge deifier be graunted nor election of any Archbishop or Bishop by the Deane and Chapter made but that the Queens majestie her heyers and successours may by their letters patents under the great Seale of England or of this Realm, or the Lord Deputie or other governour or governours of this Realm for the time being, having informations, letters missive, or other Warrant signed by the Queens majestie her heyers and successours for the same purpose may by letters patents to bee made by his or their warrant under the great Seale of this Realm, at all times

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when any Archbishopsrick, or Bishopsrick be void, conferre the same to any person whom the Queen, her heyres or successours shall thinke mete, the which collation so by letters patens made in manner, aforesaid & delivered to the person whom the Queen her heyres or successours shall confer, the same archbishopsrick or Bishopsrick, or to his sufficient Proctor & Attourney shall stand to all intents, constructions & purposes to as much, & the same effect, although ^{conge desier} had been given, the election duely made, and the same confirmed, and that upon that, the said person to whom the said Archbishopsrick, Bishopsrick or Suffraganship is so conferred, collated or given, may be consecrated and sue his livery or ouster lemaine, and doe other things as well as if all the said ceremonies and elections had been done and made. And be it like wise enacted by the said authoritie, that everie such collation to be made in manner aforesaid, if it be to the office and dignitie of a Bishop, shall be signified to the Archbishop of the province where the see of the same Bishopsrick is void, if the see of the said Archbishopsrick be then full and not void, and if it be void, then to be signified to such Archbishop within this Realm as shall please the Queens highnesse, her heyres or successours, or the Lord Deputie or other governour or governours of this Realm for the time being having instructions, letters missive, or warrant signed by the Queens Majestie, her heyres or successours in manner aforesaid: and if any such collation shall happen to be made to the dignitie of any Archbishop, then the same shall be signified in manner and form aforesaid, to one such Archbishop and two such Bishops, or else to foure such Bishops in this Realm as shall be assigned by our said Sovereign Lady her heyres and successours, or by the Lord Deputie or other governour or governours of this Realm for the time being, having instructions, letters missive or other warrants as is aforesaid. And be it enacted by the authoritie aforesaid, that whensoever any such collation shall be made by the Queens highnesse her heyres or successours, or by the Lord Deputie or other governour or governours of this Realm for the time being in manner aforesaid, by vertue and authoritie of this Act, and according to the tenor of the same, that then everie Archbishop and Bishop to whom any such collation shall be signified shall with all speed and celeritie, invest and consecrate the person conferred aforesaid, to the office and dignitie that such person shall be so conferred unto, and give use to him pall and all other benedictions, ceremonies, and things requisite for the same, without suing procuring or obteyning hereafter any Bulls or other things by or from any forein authoritie or power for any such office or dignitie in any behalfe. And be it further enacted by the authoritie aforesaid that everie person and persons being hereafter conferred, invested and consecrated to the dignitie or office of anie Archbishopsrick or Bishop within this Realm, according to the form, tenor, and effect of this present Act and suing their temporalties out of the Queens hands her heyres or successours as hath been accustomed, and making such oath and fealtie onely to the Queens Majestie her heyres and successours, and to none other as shall be limited and appointed for that purpose, shall and may from henceforth bee thronized or installed as the case shall require, and shall have and take their onely restitution out of the Queens hands, and of all the possessions and profits spirituall and temporall belonging to the said Archbishopsrick or Bishopsrick whereunto they shall be so conferred: and shall be obeyed in all manner of things according to the name, title, degree & dignitie

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that they shall bee so conferred unto and doe and execute in every thing and things touching the same, as any Archbishop or Bishop of this Realm without offending of the prerogatives royal of this Crowne and the lawes and customes of this Realm, mought at any time heretofore doe. And be it further enacted by the authoritie aforesaid, that if any Archbishop or Bishop within this Realm after such collation shall be signified unto them in maner and form before rehearsed, shall refuse and doe not invest and consecrate with all due circumstance as is aforesaid, every such person that shall be so conferred and to them signified as is abode mentioned within twentie dayes next after the Queens letters patents of such collation as shall come to their hands, or else if any of them or any other person or persons admit, maintaine, allow, obey, doe or execute any censures, excommunications, interdictions, inhibitions, or any other procelle or act, of what name, nature or qualitie soever it be to the contrarie or let of due execution of this Act, that then every Archbishop and Bishop, and all other persons so offending and doing contrarie to this Act, or any part thereof, and their aydours, counsaylours and abbettours shall runne in the dangerous paines and penalties of the estatutes of probis and Premunire, made within the Realm of England in the fife and twentieth year of the reign of King Edward the third, and in the sixteenth year of King Richard the second.

CAP. V.

An Act of recognition of the Queenes highnesse Title to the imperial Crowne of this Realme.

Eng: St: 1
El: cap: 3
A Recognition
of the
Queens title

AS there is nothing under God, most deare Soberaigne Lady wherein we your most, humble, faithfull and obedient Subjects the Lords spirituall and tempozal and commons in this present Parliament assembled have, may or ought to have more cause to rejoyce then in this onely, that it hath pleased God of his mercifull providence and goodnesse towards us, and this our Realm, not onely to provid, but also to preserve and keep for us and our wealths your royall Majestie our most rightfull and lawfull soberaign liege Lady and Queen most happily to reign ober us, for the which we doe give and yeeld unto him from the bottomes of our hearts, our humble thanks, laud and prayes, even so there is nothing that we your said Subjects for our parts, can, may or ought, towards your highnesse more firmly, entirely, and assuredly in the puritie, of our hearts think, or with our mouthes declare and confesse to be true, then that your Majestie our said soberaign Lady is, and in very deed, and of most meere right ought to be, by the Lawes of God, and the lawes and estatuts of this Realm, our most rightfull and lawfull soberaign liege Lady and Queen, and that your highnesse is rightly, lineally and lawfully descended, and come of the blood royall of this Realm, in and to whose Princely person and the heyres of your bodie lawfull to be begotten after you, without all doubt, ambiguitie, scruple or question the imperial and royall estate, place, crown and dignitie of this Realm. with all honours, stiles, titles, dignities, regalities, jurisdictions and prebeminences to the same now belonging and appertayning, are and shall bee most fully, rightfully, realy and entirely invested and corporated, united and annexed as fully and lawfully to all intents, constructions and purposes, as the same were in the late King Henry the eighth or in the late King Edward the sixth, your highnesse brother, or in the late Queen Mary your highnesse sister, at any time sthenc the act of parliament made at westminster, within your Realm of England in the fife & thirtieth

thirtie year of the reign of your said most noble father King Henry the eighth, intituled, An Act concerning the establishment of the King Majesties succession in the imperiall crowne of this Realm, for which causes we your said loving, faithfull, and obedient subjects representing the three estates of this your Realm of Ireland, as there unto constrained by the lawes of God and man, except we should over much forget our duties to your highnesse, and to the heyres of your bodie lawfully begotten, can no lesse doe, but most humbly beseech your highnesse that by the authoritie of this present Parliament, it may bee enacted, established and declared, That we doe recognise, acknowledg and confesse the same, your estate, right, title, and succession as is aforesaid, to bee in and to your highnesse, and the heyres of your bodie to bee begotten, throughly and in the whole and in every part thereof in such manner and form as before is mentioned, declared, or confessed, and thereunto most humbly and faithfully wee doe submit our selves, our heyres and posterities for ever and further doe make our most heartie and humble petitions unto your highnesse, that it may please the same not onely to accept this our said recognition, but also our faithfull promises that we according to our duties shall and will stand to assist and defend your royall Majestie, and the heyres of your bodie to bee begotten, being Kings and Queens of this Realm, and your sayd rights and titles in and to the said imperiall estate, place, crowne and dignitie in all things thereunto belonging, at all times to the uttermost of our possible powers, and therein to spend our bodies, lands and goods against all persons whatsoever that any thing shall attempt to the contrarie, and that it may be enacted by the authoritie aforesaid, that as well this our declaration, confession, and recognition as also the limitation and declaration of the succession of the imperiall Crowne of this Realm mentioned and contayned in the said Act in the said five and thirtieth year of the reign of your said most noble father shall stand, remaine, and be the law of this Realm of Ireland for ever, in such like and the same force, strength effect, manner & form as the same hath been, is, and hereafter shall be the law of the Realm of England, and that all sentences judgements and decrees, had, made, declared, set forth, published, and promulged, and also as much of every clause, article, braunch, matter, or thing conteyned and expessed in any Act or Acts of Parliament, as be in any thing repugnant, contrarie or derogatorie to this our said confession, declaration, and recognition, or to any part or parcell thereof, or contrarie to the said limitation of the succession of the imperiall Crowne, established and made by the said Act in the said five and thirtieth year of the reign of the said late King Henry the eighth, by whatsoever power or authoritie the same bee, or have been had or made, shall be utterly frustrate, voyd and of none effect, and also shall and may be cancelled, defaced, and put in perpetuall oblivion at your highnesse will and pleasure, as if the same had, never been had, made, declared, set forth published, and promulged.

CAP. VI.

An Act whereby certaine offences be made Treason.

Where in the Parliament holden at Dublin the first day of June in the third and fourth years of the reigns of the late King Philip and Queen Mary sister unto your most gracious Sovereaign Lady the Queens Majestie that now is, there was an Act or statute made for the better suertie and preservation of the said late Queen, intituled, An Act whereby certain offences be made treasons: Expired

and forasmuch as the verie words and sentences of the said estatute doe extend no further but unto the said late Queen Mary and the heyres of her body, therefore if any such like offences as be mentioned and conteyned within the said estatute, should hereafter happen to be committed against our said Soberaign Lady that now is, there were no due remedie, to condigne punishment, provided for the same, In consideration whereof, and to the intent that the malice of wicked and ill doers, may the beter be restrayned by the extending of the effect and benefite of the matters conteyned in the said estatute to our most dear Soberaigne Lady that now is, and for the more suertie and preservation of her highnesse royall estate, Be it enacted by the Queens most excellent Majestie, with the assent of the Lords spirituall and temporall, and the commons in this present Parliament assembled, and by the authoritie of the same, That if any person or persons after the last day of this session of Parliament doe maliciously, advisedly and directly compass or imagine to deprive the Queens Majestie that now is or the heyres of her bodie to be begotten, being Kings or Queens of this Realm, from the stile honour, and kingly name of the imperi- all Crown of this Realm, or from any other the Realms and domi- nions unto our said Soberaign Lady appertayning or belonging, or to destroy the Queens Majestie that now is, or any the heyres of her bodie being Kings or Queens of this Realm, or to levie war with- in this Realm, or within any the marches or dominions to the same belonging against the Queens Majestie that now is or any the heirs of her bodie being Kings or Queens of this Realm or to depose the Queens Majestie that now is, or any the heyres of her bodie being Kings or Queens of this Realm from the imperi- all Crown of the Realms and dominions aforesaid, and the same compasses or ima- ginations, or any of them maliciously, advisedly and directly shall or doe utter, by open preaching, expresse words, or sayings, or if any per- son or persons after the said last day of this session, shall maliciously advisedly and directly, say publish, declare, maintaine, or hold opi- nion, that the Queens Majestie that now is during her life, is not or ought not to be Queen of this Realm or after her death that the heyres of her highnesse bodie being Kings or Queens of this Realm, of right ought not to be Kings or Queens of this Realm, or that any other person or persons other then the Queens highnesse that now is during her life, ought to be King or Queen of this Realm, or any other the Realms or dominions aforesaid, or after her death, other then the heyres of her bodie being Kings or Queens of this Realm as long as any of her said heyres of her bodie begotten shall be in life, of right ought to have and enjoy thimperi- all Crown of this Realm or any the Realms and dominions aforesaid, that then every such offendour be- ing thereof duely convicted or attainted by the lawes of this Realm their abettours, procurours and counsailours, and all and every their comfortors, knowing the said offences or any of them to be done, and thereof duely convicted or attainted as is abovesaid, for his or their such offence, shall forfeit and lose to the Queens highnesse her heyres and successours all his and their goods and chattles, and the whole is- sues and profits of his and their landes, tenements and hereditaments for terme of the life of every such offendour or offendours, and also shall have and suffer during his and their lives, perpetuall imprison- ment. Provided alwayes, and be it further enacted by the authoritie aforesaid, that all and every ecclesiasticall person being convicted or attainted in forme aforesaid for every such his offence, shall immediatly and

and presently upon such attaindour had, be judged and remain in the law to all intents, deprived from all his benefices and promotions spirituall or ecclesiasticall, in such manner and forme that it shall be lawfull for every Patron, founder or giver thereof, to present immediately after such attaindour had, some one other to the same, as though the said offendour or offendours were deceased, & if any person or persons being hereafter convicted or attainted of anie the laid offences in form aforesaid committed, shall after his or their conviction or attaindour estoons commit or perpetrat any of the said offence in form aforesaid, that then every such second offence or offences shall be deemed & adjudged high treason, & the offendour or offendours therein, their abbettours, procurers & counsailours, & all & every their aydours & comforters knowing the said offences or any of them to be done, being thereof convicted or attainted, according to the laws and estatutes of this Realm shall be judged and deemed high traytors, and shall suffer paines of death, and lose and forfeit all their goods and chattles landes and tenements, to the Quæns Majestie, her heyers and successours as in cases of high treason by the lawes of this Realm, at this day of right ought to be lost and forfeited. And be it further enacted by the authoritie aforesaid, that if any person or persons at any time after the said last day of this session by any writing, Printing, overt dedde or Act, maliciously, advisedly and directly doe affirme that the Quæns Majestie that now is, ought not to have and enjoy the stile, honour, and kingly name of this Realm, or that any person or persons other than the Quæns Majestie that now is, ought to have or enjoy the stile, honour, and kingly name of this Realm, or that the Quæns Majestie that now is during her life is not or ought not to be Quæen of this Realm or after her death, that the heyres of her highnesse bodie being Kings or Queens of this Realm, of right ought not to have and enjoy the imperiall Crowne of this Realm, or that any person or persons other than the Quæns Majestie that now is during her life or after her death, other than the heires of her bodie begotten being Kings or Queens of this Realm as long as any of her said heyres of her bodie shall be in life of right ought to have & enjoy the imperiall Crowne of this realm, that then everie such offence & offences shall be adjudged high treason, and the offendour and the offendours therein their abbettours, procurers and counsailours, and all and every their aydours and comforters, knowing the said offences or any of them to be done, being thereof lawfully convicted or attainted by the lawes of this Realm, shall be deemed and adjudged high traytors, and shall suffer paines of death, and lose and forfeit all their goods and chattels, lands and tenements to the Quæns Majestie, her heyers and successors as in cases of high treason by the laws of this Realm at this day of right ought to be lost and forfeited, saving to everie person and persons bodies politique and corporate their heyers and successours other than the offendours and their heires, and such person and persons as claime to any of their uses all such rights, titles, interests possessions, leases rents reversiones, offices, and other profits which they or any of them shall have at the day of the committing such treasons, or at any time aforesaid in as larg and ample manner as if this Act had never been had nor ^{concealment} made. Provided alwayes and be it declared and enacted by the authoritie aforesaid, that concealment or keeping secret of any high treasons ^{of treason} shall be deemed and taken onely misprision of treason, and the offendours therein to forfeit and suffer as in cases of misprision of treason hath heretofore been used, any thing above mentioned to the contrarie notwithstanding

triall of
Peers.

notwithstanding. Provided also, that if it shall fortune hereafter any of the Peeres of this Realm to be indicted of any the offences made treason or misprision of treason by this Act that then the same Peeres or Peere so being indicted shall be put to answer to eberie such indictment before such Peere of this Realm of English bloud, as by the Lord Deputie or other governour or governours of this Realm for the time being, shall bee by commission appointed under the broad seal, and to have his and their triall by his or their Peers, and to receive and have such like judgement upon the same triall of his or their Peeres, or making open confession of the same offence or offences, as is used in other cases of high treason & misprision of treason. And be it further enacted by the authoritie aforesaid, that no person or persons shall in any wise be impeached for any of the offences abovesaid committed onely by open preaching or words, unlesse the offendour or offendours be thereof indicted within six moneths next after the same open preaching or words any thing mentioned in this Act to the contrarie notwithstanding. Provided alwayes, that the counsailours, procurers, comforters, and abbettours mentioned in this Act, for his or their first offence, shall suffer like punishment as is contayned in this Act against the principall offendours for their first offence and none other and that the counsailours, procurers comforters and abbettours for his or their second offence, shall sustain like punishment, penaltie, and forfeiture, as is contayned in this Act against the principall offendour or offendours for their second offence and none other. Provided alwayes and be it enacted by the authoritie aforesaid, that noe person or persons shall be hereafter, indicted or arraigned for any offence or offences made treason, or misprision of treason by this Act, unlesse the same offence & offences of treason and misprision of treason aforesaid be proved by the testimony, deposition and oath of two lawfull and sufficient witnesses at the time of his or their indictment which said witnesses alsoe at the time of the arraignment of the party soe indicted, if they be then living, shall be brought in person before the partie soe arraigned face to face, and there shall abow and openly declare all they can say against the said partie soe indicted unlesse the sayd partie soe indicted shall willingly without violence confesse the same. Exp. Extending onely to the Queens, and the Heirs of her Body.

Chapter the VII.

An Act for the restitution of the late Priorie or Hospitall of Saint Johns Jerusalem in Ireland, and of all the Mannours, Lordships, Commaundries and hereditaments of the same to the imperiall Crown of this Realme.

Restitution
of the priory
of Saint
Johns
Jerusalem

In their most humble wise beseech your most excellent Majestie your faithfull and humble subjects, the Lords spirituall and temporall and the commons of this your Realm in this present Parliament assembled, That where Sir John Rawson knight, late prior of the priorie or hospitall of saint Johns Jerusalem in this your highnesse Realm of Ireland, of his own free and voluntarie minde and assent without constraint, coaction, or compulsion of any manner person or persons, did by the due order and cours of the common laws of this your Majesties Realm, and by sufficient writings of record under his convent and common seal with the full assent and consent of his conbrettheren or chapter, give, grant and confirm unto your most noble father of famous memory King Henry theighth the said late priorie or the hospitall, and the whole scite, circuite, and precinct of the same

same, and all and singular the manors Lordships, Commaundries, Mesuages, lands, tenements, meadowes, pastures, rents reversiones, services woods, tythes pensions portions, Churches, Chapels, advowsons Parsonages, Annuities, rights, reentries, conditions, commons, leetes courts, liberties, privileges, and franchises appertayning, or in any wise belonging to the said late Hospitall, or to any Commaundrie thereof, to have and to hold the said Hospitall, scite circuit, precinct, manours, Lordships, Commaundries, mesuages, lands, tenements, meadowes, pastures, rents, reversiones, services and other the premises to your said deere Father, his heyers and successours for ever, and the same Hospitall, scite, circuite, precinct manours, lordships, commaundries, mesuages, lands, tenements meadowes, pastures rents reversiones and other the premises, voluntarily did renounce, leave and forsake, and after in the Parliament of your said noble Father, begun at Dublin the thirtieth day of June, in the three and thirtieth year of his prosperous raigne, and after proroged, adjourned, and continued, as by the rolle of the same Parliament more at large appeareth, It was enacted by your said deere Father, and the Lords spirituall and temporall, and the commons in that Parliament assembled, and by the authoritie of the same, amongst other things, That your said Father should have, hold, possesse and enjoy to him, his heyers and successours for ever, the said late Hospitall of Saint Johns Jerusalem in this Realme, and by the same authoritie, and like manner should have hold, possed, and enjoy the scite, circuite and precinct of the same, all the manours, Lordships, Commaundries, Mesuages, Lands Tenements, Meadowes Pastures, Rents, Reversiones, services, woods tythes, pensions, portions, Parsonages impropriate, Vicarages, Churches, chappels, advowsons, nominations, patronages, annuities rights, interestes, entries, commodities, conditions, commons, leetes, courts, liberties, privileges, franchises, and other whatsoever hereditaments, which appertayned or belonged to the said late Hospitall, in as large and ample maner and fourm as the said Sir John Rawson late Prior of the said Hospitall of Saint Johns Jerusalem in Ireland had, held or occupped, or of right ought to have had, holden or occupped in the right of the said late Hospitall at the time of the renouncing, relinquishing, and giving up of the same to your highnesse said Father. And it was further enacted by authoritie aforesaid, that the said late Hospitall, Scite, Circuit, Precinct, Mannours, Lordships, Commaundries Mesuages, Landes, Tenements, Medowes, Pastures, Rents Reversiones, Services, and all other the premises forthwith and immediatly, and presently should bee vested, deemed and adjudged by authoritie of that Parliament in the verie actuall and real seisin, and possession of your said Father, his heyers and successours for ever, in the state and condition as they then were, and as though the said late Hospitall, scite, circuite, precinct, manors, lordships, commaundries, lands, tenements and other the premises whatsoever they be, and every of them had in that present Act, specially and particularly been rehearsed, named and expresse by expresse words names, titles, and faculties, and in their natures, kindes and qualities as by the said Act or estatute, more full and at large appeareth, by reason of which premises your highnesse said Father, and your deer brother King Edward the sixth, and the late Queen Mary your deer sister were successively seised of the said late Hospitall, and of all the manors, lordships, commaundries lands tenements and hereditaments, as well spirituall as temporall belonging or appertayning to

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the same, to the great ayd, reliefe and supportation of the inestimable charges of the crowne of this Realm, which thing although the said late Queen mought and did manifestly feel and perceiue to bee most true, yet she upon certain respects not having due consideration and regard to the maintenance, upholding, and good continuance of the State of the imperiall Crowne of this Realm in succession, which rather needed an augmentation than adiminution, did together with King Philip her late husband by their letters pattents, gibe and graunt the said late Prio^r of Hospitall, the scite, circuit, and precinct thereof and all the mannours, Lordships, commaundries, lands, tenements and hereditaments belonging and appertayning to the same unto Sir Oswald Wallingberde knight then usurping the name of Prio^r of Saint Johns Jerusalem in Ireland by titles conveyed from forrein authorities, to haue and to hold the said late Hospitall and other the premilles unto the said Sir Oswald Wallingberde, and to his successors Priours of Saint Johns Jerusalem in Ireland for ever, and further as by the same letters patents remaining enrolled of record in the remembrancie of your Majesties Exchequer, in Ireland more at large doth appeare, by force of which letters patents the said Sir Oswald Wallingberde had and enjoyed the said late Hospitall, and all the mannours, lordships, commaundries, lands, tenements and hereditaments appertayning and belonging to the same, till that now of late in the first yeare of your Majesties most prosperous raigue, the same Sir Oswald Wallingberde of corrupt and factious mind, and for some disloyall intents and purposes as is to be presumed, have not onely left and forsaken the said Hospitall and the whole possessions thereof, but hath also departed this Realm without your Majesties licence, contrarie to his duetie of allegiance for causes rather suspect to us your loving subjects than known. ~~Where~~ your said humble and obedient subjects the Lords spirituall and temporall, and Commons in this your present Parliament assembled, calling to our remembrance the huge charges of the royall estate and imperiall Crowne of this Realm, and how the same was left unto your Majestie at your first entrie thereunto greatly diminished, as well by reason of the said graunt made to the said Sir Oswald Wallingberde by the said King Philip and Queen Mary, as otherwise, doe accompt of very right and good congruence no lesse then our most bounden duetie, to move your highnesse, and therewith most humbly to beseech the same that the disherison and decay committed and done to the Crowne and estate Royal of this your Realm and the succession thereof by reason of the said graunt made by the said King Philip and Queen Mary at this Parliament, bee reformed and aboyded, and that with your highnesse favour and Royall assent it may bee enacted ordeyned, established and provided by the authoritie of this Parliament in manner and form hereafter ensuing. That is to say, that the said letters patents made by the said King Philipe and Queen Mary to the said Sir Oswald Wallingberde of and upon the said late hospitall, and the Mannours, Lordships, Commaundries, Lands, tenements and hereditaments, spirituall and temporall appertayning and in any maner of wise belonging to the same, and all articles, clauses, graunts and sentences therein contained, shall bee from and after the xiiii. day of August last past utterly and cleerly resigned, repealed made void and of no force nor effect, and that likewise all authorities, Jurisdiccions, Prebeminences, liberties, honours, stiles, titles, incorporations and dignities graunted, limited, made, established and appointed in and by

by the said letters patents or in and by any Bulls, Breves or other writings whatsoever, made, conveyed or derived by or from any foreign authoritie or power to the said Sir Oswald Hasslingberde, touching or concerning the said late Priorie or Hospitall of Saint Johns Jerusalem in Ireland, or the Mannours, Lordships, Commaundries and other the hereditaments as well Spirituall as Temporall belonging and appertayning to the same, or touching and concerning the Royall Superioritie or government of the said late Priorie or Hospitall and the Lordships and Commaundries thereof, shall from and after the said xiiii. day of August, cease and be utterly voyd and determined. And be it likewise enacted by the said authoritie that the said late Hospitall or Priorie of Saint Johns Jerusalem in Ireland and the Site, Circute and Precinct of the same, and also all and singular, the Mannours, Lordships, Commaundries, Mesuages, Lands, tenements, Meddowes, Pastures, Rents, Reversions Services, Woods, Gillies, Warrens, fishings, tythes, Pensions, Portions, Parsonages impropriate, Vicarages, Churches chapples, Advowsons, Nominations Patronages, Annuities, Rights, Entries, Commodities, Conditions Commensleces, Courts, liberties, priviledges, franchises & other whatsoever hereditaments as well spirituall as temporall, which appertayned or belonged to the said late hospitall of Saint Johns Jerusalem in Ireland, or that were reputed, knowen, taken used, occupied or enjoyed as member, part, parcel, right, possession or hereditament of the said late hospitall or priory, shall from and after the said xiiii. day of August bee deemed and adjudged to all intents, constructions and purposes in the Queens highnesse most royall person, her heires and successors and united and Annexed to the Imperiall Crown of this Realm, of and such like, and the same estate interest, title quality, sorte, degree, and condition, and in as ample and benefitall maner and forme as the same was or were in in the person and possession of the said late Queen Mary at any time before the said letters patents made to the said Sir Oswald Hasslingberde, the same letters, patents or any thing in them conteyned, or any Act or Acts of Parliament heretofore established & ordeyned within this Realm, or any other matter or thing had, done, or suffered by the said late Queen, or any other person or persons whatsoever to the contrarie thereof in any wise notwithstanding. Saving to all and every person and persons, bodies politique and corporate, their heyers executors, successors and assignes, and every of them other than the said Sir Oswald Hasslingberd late Priour and his successors, and the late Commaundours of the said Commaundries, and their successors and the successors of every of them and such as pretend to bee Foundours, Patrons or Donours of the said late Hospitall or of the Commaundries aforesaid, or any of them, or any lands, tenements, rents services, parsonages, tythes or other hereditaments spirituall or temporall to them or any of them belonging, and their heyers and successors, and the heyres and successors of every of them, and also other than such person or persons their heyres and successors and every of them which be except, secluded and foreprised from the benefite of the savings or provisions conteyned and expressed in the said Act, made in the said three and thirtieth year of King Henry the eighth, all such right, title, clayme, interest, possession, lawfull entry rent charges, fee ferme, annuities, leases, offices, fermes, liberties, livings, fees, pensions, corodies, commons, synodes, proxies, and other profitables which they or any of them had claymed or mought have had, perceiv-

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others

ed or enjoyed of, in, or to the premises, or any parcell or part thereof at any time before the said Letters patents made by the said King Philip and Queen Mary in such like form, manner and condition to all intents, respects, constructions, and purposes, as if this Act had never been made, rents services and rents seekes, and all other services and suits which were due to be payed or done to any person or persons for and out of the premises or any part thereof onely excepted, and foreprised out of this clause of saving. Saving also to all and every person and persons, bodies politique and corporate their heyers, executors successours and assignes and every of them, other than such persons as be before excepted and foreprised, all and all manner benefites and advantages, liberties, and commodities which they or any of them may or ought to have, claime, and take in and by the said Act or estatute made in the said three and thirtiyeth year of King Henry the eighth, and in or by any article, clause, or sentence therein contayned, this Act or any thing therein contayned or sounding to the contrary thereof in any wise notwithstanding. And be it further enacted by the authoritie aforesaid, that all and singular tenants, fermours, lessees and occupiers to the premises or any part thereof, their heirs, executors and assignes, which the said xxiii. day of August were behinde, or in any arrerages of and with the rents fermes or other revenues, profittes or duties by them or any of them due and payable for and by reason of the premises or any part of them shall and may be by thauthoritie of this Act severally chargeable accountable, and answerable to the Queens Majestie her heires and successours in and at her highnesse Court of the Erchequer, of and for the same arrerages and duties as other accomptants been and shall be in the same Court, the said letters patents or any other matter or cause to the contrary thereof in any wise notwithstanding. And where the said Sir Oswald Massingberd during the time that he held and enjoyed the said late Hospitall and other the premises by colour of the said letters patents specially and chiefly sithence the death of the said late Queen Mary having in himselfe, as is to be supposed, a determination to leave and relinquish the same Hospitall and possessions thereof, did of a set will and purpose to diminish the revenues and profits of the same late hospitall of the mannours, lordships and commaundries thereof, and contrary to the order taken with him by the said late Queen upon his establishment in the said late Hospital grant and make forth as well by himselfe solely as by and with the assent of his conbrethren or chapter under their convent and common scale divers and sundry leases for years, of mannours, lordships, commaundries, and other the said hereditaments spirituall and temporall which at the time of his leases were in lease, some for thirtie, some for fortie, some for thre score yeares, and did also graunt unto divers and sundry persons large Annuities, fees, rents and pensions to goe out and forth of the said late Hospitall and other the hereditaments spirituall and temporall aforesaid, and to some of the same his deeds hath as is thought and said, given antedates, by the meane whereof the same late Hospitall cannot nor may not be in the Queens Majestie, in so ample and beneficiall condition, manner and form as is meant and intended by this Act, unlesse that the said leases and grants so made by the said Sir Oswald, and his conbrethren or chapter be reformed and aboyded, Be it therefore enacted by the authoritie aforesaid, that all and every the said leases, demises, gifts, and grants of any lordships, mannours, commaundries, messuages,

messuages, lands, tenements, tyeths and hereditaments spirituall or temporall, fees, pensions, Annuities, offices, corodies, or other profitables or commodities whatsoever, and all and every act and Acts thing and things made, wrought, suffered or done by the said Sir Oswald Passingberd as Priour of the said late hospitall, solely by matter in deed, or of record, or by him with the assent of his said brethren or chapter under their consent or common seal sithence the day of the date of the said letters pattents graunted by the said late King and Queen to the said Sir Oswald shall be judged, taken or deemed and reputed utterly and clearely voyde, determined and of no force ne effect to all intents, constructions and purposes, as if the same had never been made wrought, suffered or done any matter, cause or thing had done or suffered to the contrary thereof in any wise notwithstanding. Provided alwayes, and bee it enacted by the said authority, that this Act or any thing therein conteyned shall not in any wise be prejudiciall or hurtfull to any the tenants, fermours, lessees or occupiers of any the premises their heyres or executors for any rents, farms, or other revenues, profits or dueties by them payed for and out of the premises or any part of them to the said Sir Oswald Passinberd, his Receivers or assignes before the said foure & twentieth day of August, but that the said tenants, fermours, lessees or occupiers their heyres and executors and every of them shall be clearely and fully acquitted, exonerate and discharged of and for the same payments and every of them against the Queens Majestie her heyres and successors: any thing conteyned in this Act, or any other cause or matter to the contrary hereof in any wise notwithstanding.

all leases & grants made by Passingberd to be of no effect.

that the Lessees or Grantees shall not be charged for the payments made to Passingberd

Statuta, Ordination, Act & provisiones edit in quodam Parlamento illustrissimæ principis dominæ nostræ Elizabethæ dei gratia Angliæ, Franciæ & Hiberniæ Reginiæ fidei defensor. &c. Virtute commissionis & mandati dicti dominæ Reginiæ sub magno sigillo suo Angliæ apud Dublin die lunæ prox. post octavam Epiphaniæ, V. xvij. die Januarij, Anno regni prædicti dominæ Reginiæ undecimo coram prædicti & fideli consilii suo Henrico Sidney præclari ordinis sui garterij Milite, dominus Præsident consilij sui infra principatit & Marchias suas Walliæ, Deputatus suo generali Regni sui Hiberniæ tent edit, & ibi continuat, usq; ad diem lunæ prox. ante fest. Sancti Mathie Apostoli: V. xxj. die Februar. ann. reg. dicti dom. Reginiæ undecimo, & ibi tent & continuat usq; ad XXij. diem Februar. anno reg. præd. dom. Reginiæ undecimo, prox. futur. & ibi prorog. abinde usq; ad X. diem Octobris tunc prox. futurum, anno regni præd. dom. Reginiæ undecim ad Dublin præd. & ibi tent & continuat usq; ad ultimum diem ejusdem mensis Octobris, & eod. die prorog. abinde apud Villam de Drogheda, & ibi tent & continuat Xij. die Febr. anno duodecimo regni Reginiæ præd. usq; ad XV. diem ejusdem mensis Februar. & ibi prorogat abinde eodem XV. die Februar. ad Civitatem Dublin præd. usq; XXV. diem Maij tunc prox. sequen. & eodem XXV. die Maij apud Dublin tent. & ibi continuat usq; ad XXV. diem Iunij tunc prox. sequen. anno duodecimo regni Reginiæ præd. & eod. XXV. die Iunij prorog. abinde usq; ad sextum diem Novemb. tunc prox. futur. ann. duodecim regni Reginiæ præd. & eod. Vj. die Novemb. anno præd. ibi tent & continuat usq; ad secund. diem Decemb. tunc prox. futur. anno tertio decimo regni Reginiæ præd. & eodem secundo die Decemb. prorog. abinde usq; ad quint. diem ejusdem mensis Decemb. Et eodem quint. die Decemb. anno tertio decimo regni Reginiæ præd. apud Dublin præd. tent. & ibi continuat usq; ad duodecimum diem ejusdem mensis Decemb. Et eodem duodecim. die Decembris proro. abind. usq; ad XXV. diem Apr. tunc prox. futur.

CAP. I.

The Act of Subsidie granted to the Queens Majestie.

Where at a Parliament holden at Dublin the first day of June in the third and fourth years of the raignes of King Philip the Queen.

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and

a Subsidie Granted to the Queen.

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subsidie
granted to
Queen
Mary for 10
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the same re-
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ten years.

and your most deare sister Queen Mary, before their right welbeloved
cousen and counsaillor Thomas Earle of Suffre, Viscount Fitzwaters
Lord Egremount and Burnell, one of the Gentlemen Pensioners at Armes to
their Majesties, in your Realm of England, and then the Lord De-
putie of your Majesties said Realm, Wee your Majesties loving, faith-
full and obedient subjects, considering with our selves the infinite
masses of treasure able to purchase a Kingdom. that your most noble
progenitors the famous Princes of England, hath craved for the
government, defence and preservation of us, and this your highnesse
Realm of Ireland, did then as an argument of our benevolent and
loial minds towards the maintenance and conservation of your king-
ly estate over us, graunt unto the said Queens Majestie her heyres
and successours, a subsidie of thirteene shillings foure pence of every
ploughland within this Realm for tenn years then ensuing and now
expired to be taxed and levied in such rate and form as in the same Act
entituled The Act of subsidie, more amply doth appear: and being
now at this present time justly moved by sundry great causes of joy
and comfort which we daily receive through your Majesties inesti-
mable goodnesse in providing for us so profitable a governour as the
right honorable Sir Henry Sydney Knight of the honourable order,
now Lord Deputie of this your Majesties Realm of Ireland, who by
his great travail of bodie and mind, sincere, and upright administra-
tion of Justice, hath not onely through your highnesse maintenance
and supportation put in suspence, that grievous and intollerable ex-
action of coyne and livery, the freter of our lives and substance, but
also hath subdued and brought to nought that unnaturall and ranke
rebell Shane Ouel, the chiefe disquieter and hinderer of this our
common wealth, whereby the whole countries and territories of Ulster
are like shortly by the grace of God to be at your Majesties devotion
and disposition: for whose tender care over us shewed by the deputing
and supporting of so good a minister, wee your faithfull subjects ac-
knowledge our selves more beholding to your most excellent Majestie
than we can with tongue or pen expresse, and shall incessantly make
our prayers to Almighty God for the preservation of your most royal
and noble personage long and prosperously to reigne over us, and
other your Realmes and dominions. And haveing with all due con-
sideration of the huge charges already imployed and to be imployed by
your Majestie for bringing to passe of these great things tending to
the sound and universall reformation of this your highnesse Realm
which wee hope your highnesse doe graciously mean and trust to be in
these your happy dayes, to the glorie of God and your immortal
fame, we for the alleviation of some part of your Majesties said in-
estimable charges, and in consideration to be from henceforth deliber-
ed from that grievous exaction of coyne and livery, doem oft lovingly
and freely offer unto your Majestie not onely the renewing of the said
subsidie now expired, but also lowly and hartily profer to you our
bodies and substance to maintaine these your just quarrells, godly en-
terprises, and lawfull attempts and doe humbly require that the
graunt of the said subsidie may be enacted. And be it therefore enacted
ordayned and established by your Majestie with the assent of the Lords
spirituall and temporall, and the commons in this present Parlia-
ment assembled, and by the authoritie of the same, That your Majestie
your heyres and successours shall have and perceibe yearly a subsidie
of thirteene shillings foure pence of and upon every plough land
occupied

occupied or manured, or hereafter to be occupied or manured with-
in this your Realm of Ireland, from the time of the occupying or
manuring thereof, as long time as it shall be occupied or manured,
to be payed in manner and forme before said, from the last day of Sep-
tember, which was in the year of our Lord God a thousand five
hundred threescore and six to the end of the terme of ten years
then next ensuing, payable yearly at the feast of Saint Michael the
Archangell during the said tearm, and that all crosse lands and Cler-
gie of this Realm shall be yearly charged during the said tearm with
like subsidie unto your Majestie your heires and successours to be
levied at the feast aforesaid, in like manner and forme as the
crosse lands and Clergie of the Shires of Dublin, Meth, Kildare and
Loweth were charged with by the Parliament of this Realm begun
at Dublin the first day of May in the eight and twentieth year of the
Reign of your highnesse most deer father King Henry the eight in the
Act of subsidie passed in that Parliament and in none otherwise, and
forasmuch as Divers countries and parts of this Realm which now
be shire grounds, and which are not yet established for shire grounds,
there is no extant certaine of ploughlands by which occasion this be-
nevolence of us your said loving subjects cannot be so beneficiall unto
your Majestie your heires and successours as we doe intend and meane
it, unlesse order be taken for reducing the same to like certaintie as
they be in your Shires of Dublin, Kildare, Meth, and Loweth. Be it
enacted, ordayned and established by the authority of this present Par-
liament that the Lord Deputie or other governour of this Realme for
the time being, shall have full power and authoritie by force of this Act
to make, ordeyne and depute such and so many Commissioners in eve-
rie Countie or Shire of this Realm now made, established and known
for Shire ground, the said Shires of Dublin, Kildare, Meth and
Loweth onely excepted, & that hereafter shall be made and established
their ground for the extending and making of ploughlands of like
rate, estimate and quantitie as ploughlands be presently most uni-
versally set out and known in the Shires of Dublin, Kildare, Meth
and Loweth whereof or upon which the said subsidie of thirteen mil-
lings and foure pence shall be leviable and perceived, and also for the
levying rearing and perceiving of the said subsidie to the use and be-
hoofe of your Majestie your heires and successours in manner afore-
expressed, which rate and extant so set out and made by the said com-
missioners shall be returned by them into your Majestie your heires
and successours court of Exchequer in this Realm there to remaine of
record for ever, and that the same ploughlands so rated and extended
shall be and stand charged with the said yearly subsidie according to
the tenour and purporte of this present Act, and that every person
and persons within this Realm to their power and knowledg of what
estate condition or degree soever he or they be, shall be ayding and
assisting to the said commissioners and everie of them, and shall right-
ly, truly and obediently observe and keep the order to be taken by them
aswell in the extant and rate of the plough lands as for the levying
and rearing of the said subsidie in manner aforesaid, upon paine of five
pounds to be forfeited by every person that shall offend in this point so
offe as he doth transgresse this establishment, which forfeiture shall
be levied and taken to the use and behoofe of your Majestie your heires
and successours of and upon his lands, goods, and cattalls by such
and the same order as like forfeitures to your Majestie by the lawes
of this Realm be leviable and perceivable. Provided alwayes, and

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be it enacted by the authoritie aforesaid, that no manner man spiritual ne temporall, ne commoner of this Realm, nor any corporation within the same having freedom or discharge of Subsidie by your Majestie or any your progenitours, grants or by Act or Acts of Parliament of this Realm, or other lawfull meane shall be charged with Subsidie by force of this Act. Provided also that neyther the Citie of Dublin, the Citie of Waterford, the Citie of Corke, the Citie of Lymrick, ne the Townes of Drogheda, Kilkenny, Kynsale, ne none other Citie ne Towne privileged, ne borough towne within this Realm of Ireland, nor any the Citizens, burgesses or inhabitants of them or any of them shall be charged with subsidie, for any the lands or hereditaments that be parcell, part or member of the same Cities, towne or boroughes, or of any of them, or situated within the franchise, liberties limits or bounds of any the same cities, towne or boroughes. Provided also, and be it enacted by the authoritie aforesaid, that all Lords, Knights, Esquiers and Gentlemen that now be charged by law, custom, or usage of this Realm, or hereafter shall be charged and appointed by the Lord Deputie or other governour of this Realm for the time being, by reason of their lands and possessions to goe or send to hostings, roades or journeyes for service of the Realm, at their proper charges having assignement of carting and carriage after the ancient custome, which Lords, Esquiers or Gentlemen have or shall have their chief dwellings in the countries out of the cities and privileged towne, shall be during the time that they so have or shall have their chief dwellings in the countrey, free and discharged of this subsidie, for so much as such portion of their lands and possessions, as presently by any ordinary meane is assigned unto them, as competent, for their proper manurance plowing, and cattel, in their chief dwelling places or that hereafter shall be assigned, limited and set out by commissioners to be appointed in everie their now established or hereafter to be established in this Realm by your Majestie, your heires or successors commission or commissions to be made under yours or their great seal of this Realm, at or by the denomination of the Lord Deputie or other governour of this Realm for the time being for that purpose in everie of which commissions, one of your Majesties your heires or successors privie Councell in this Realm to be of the Quorum, and shall also be free and discharged from and of all coyne and liberie, and of carting and carriage to hostings roades, and journeyes. Be it also enacted by the authoritie aforesaid, that all such lands and tenements and all other possessions and things both spirituall and temporall, which have comen or hereafter shall come to your Majesties hands or possession, or to the hands and possession of any your heires or successors, or that heretofore have comen to the hands or possession of your Majestie, or any your most noble progenitors and predecessors, the ancient inheritance of your Majestie or any your most noble progenitors onely excepted, shall be charged with this Subsidie in like sort and manner as the same were or ought to have been charged with like subsidie heretofore graunted before the coming of the same lands, tenements and possession to the hands and possession of your Majestie, or any your predecessors, progenitors, heires or successors, and in no other maner. Provided also that this Act, or any thing therein conteyned, shall in any wise extend or be ment to charge any the Polles of Meth or Westmeth, with this said subsidie or any part thereof, so that the same Polles and the inhabitants, manurers or occupers of the same doe bear and yeald such charges, and impositions

as they have bin accustomed heretofore: any thing in this Act to the contrarie notwithstanding.

CAP. II.

An Act for the limitation of places for tanning of Leather.

IT is enacted by our sovereign Lady the Queenes Majestie by assent of the Lords spiritual and temporall, and the commons in this present Parliament assembled, and by authoritie of the same, that the right honourable Sir Henry Sidney Knight of the most noble order, now Lord Deputie of this Realm, by advise of the Queenes Majesties privie Councell, shall have full power and authoritie by tenour of this Act to limit and appoint in all and every the shires of this Realm, such place and places for the tanning of hydes and leather, as to his wisdom by advise aforesaid, shalbe thought meet and convenient, and that all the hydes and leather tanned, or put to be tanned in any other place or places by any person or persons after the limitation and appointment of the said place or places by his honour in any shire, other then in the said place or places so limited or appointed shall be forfeit, the one halfe thereof to our sovereign Lady the Queenes Majestie her heyres and successours, and thother half to the party that will informe the same, the Justices of peace, Justice of gaole delivery, assise, oyer and determiner in every shire to enquire thereof, heare and determine the same.

CAP. III.

An Act confirming the Queenes title, and the interest of patentees in the landes of late belonging to Christopher Essex and others.

Where in a Parliament holden at Dublin the first day of May in the twentieth and eight yeare of the reign of the Queenes Majesties most noble father King Henry the eight late King of England. before his trustie and welbeloved the lo: Leonard Gray knight Lord Gray deputy to the said late King, and to his most deer and most beloved cousin Henry Duke of Richmond and Somerset, then his Lieutenent of this his land and dominion of Ireland, there was one Act made and established, by the tenour of which Act it appeareth that Christopher Gwylace of Cotlanston in the countie of Kyl-dare Esquire, and certain others in the said Act named did commit and perpetrate high treason, which Christopher Gwylace was condemned, executed and suffered death for the said treason, after whose death all the Mannours, Castles, Mesuages, Lands, tenements, and hereditaments with the appurtenances, whereof the said Christopher or any other person or persons were seyled to his use, were come and taken into the hands of the said late King Henry the eighth, and since that time to this present, have continued in the possession of the said late King Henry the eighth, King Edward the first, Queen Mary, King Philip and Queen Mary, and of our sovereign Lady the Queenes Majestie that now is, except such parcells of the same as were by any of the said noble Princes King Henry the eight, King Edward the first, Queen Mary, King Philip and Queen Mary, or our sovereign Lady the Queenes Majestie, given, graunted, bargained or sold to any person or persons, of all which parcells so given, graunted, bargained or sold, the grauntees or patentees, their heires and assignes have continued in the quiet possession of the same likewise to this present. For confirmation therefore of the right title, and interest of our said Sovereign Ladie the Queenes Majestie, and the said patentees and grauntees, their heires and assignes in the premisses, and to the end no scruple or Question may hereafter remaine, whereby any person or persons by subtille or sinister practise might take occasion to encumber here, or disturb the possession of our sovereign lady the Queenes highness, her heires and successors, eyether in the said land, tenements or hereditaments, or in any other lands, tenements, or hereditaments, which

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were unto any other person or persons in use or possession attained or charged with treason by the said Act, or to ber, cumber or disturb the possession of any the patentees, grauntees, lessees of any the said noble Princes, or the heires, executors or assignes of the said patentees grauntees, or lessees of any the said Lordships Manors, Castles Heales Lands, tenements or hereditaments. Be it ordeyned established and enacted by our Sovereign Lady the Queens Majestie by the lords spirituall and temporall, & the commons in this present Parliament assembled and by the authoritie of the same, That the said Christopher Cwllace be deemed, reputed and adjudged as a traytour and person attainted of the said treason, which by the tenour of the sayd Act is recyted that hee committed. And be it further enacted, ordeyned and established by authoritie aforesaid that all the Castles, Manours, Houses Heeles, Lands, Tenements, Rents, Reversions, Services, Mills, Moors Meadowes, Pastures, Woods, waters, fishings, courts, leets, warrens advowsons of churches, and all other hereditaments commodities, dueties and profites, of what nature name, condition, or kind the same be, with all and singular their appurtenances, whereof the said Christopher Cwllace or anie other person or persons charged or attainted of treason by the said Act, were seised in fee simple or fee tayle, or whereof any other person or persons were seised to the use of them or any of them and their heires, or the heires of any of them, or the heires male or generall of the bodie of any of them, the day or time of their treason by the said Act supposed to be done or committed, or any time after shall be and remaine to our Sovereign Lady the Queens Majestie, her heires and successours for ever, the lack of any record or records of any the said person or persons attainder or attainders, or any error in the same, or any other cause or matter to the contrary in any wise notwithstanding. & be it further enacted by the authority aforesaid, that all the Castles, Manours, Lordships, Heales, landstene-ments, Rents, reversions, Services, Mills, Moors Meadowes Pastures Woods, Waters, fishings, and other hereditaments, commodities and profites of what nature, condition or Qualitie the same were or be, whereof Nicholas Keting, commonly called the baron Keting, David Rebel commonly called the baron Rebel in the countie of Wierford Esquiers. or any of them were seised in fee simple or fee tayle, the day of their attainder or deaths, or the day of the attainder or death of any of them, or whereof any other person or persons were seised to the use of them or any of them of any estate of inheritance the day of the death of any of them, shall be & remaine to our Sovereign Lady the Queens Majestie, her heires & successours for ever the lack of any record or records of any the said person or persons attainder or attainders, or any error in the same or any other cause or matter to the contrary in any wise notwithstanding. Provided alway and be it enacted by the authoritie aforesaid, that all and every Letters patents under the great Seal of England, or under the great Seal of Ireland made by any of the said Noble Princes, King Henry the eighth, King Edward the sixth, Queen Mary, King Philip and Queen Mary, or by our Sovereign Ladie the Queens Majestie that now is, to any person or persons before the first day of this present Parliament of any the said Lordships, Mannours Castles, Heeles, Lands Tenements, Rents Reversions, Services, hereditaments, or any of other the premisses, shall be and remaine in full force and effect to all intents, constructions and purposes, and that the said Patentees their heires executors and assignis, shall have and enjoy all the Lordships, Mannours, Castles

Castels, Meles, Lands, Tenements, Rents, Reversions, Services, Mills, Moors, Meadows, Pastures, Woods, Waters, Fishings, Hereditaments, Commodities and Profits, with the appurtenances and e-
verie other thing and things in their Letters patents, specified and con-
teyned, that is to say eyther of the said Patentees, his heires executors
and assignes according to the words, purpote and limitation of their
Letters pattents, this present Act, or the lack of the records of the
attainders of the said persons or any of them or errour in the same,
the lack or insufficiencie of offices taken of any the said lands to the
contrarie in any wise notwithstanding. It is likewise ordeyned and
enacted that the said Patentees, their heires executors, and assignes
shall yeeld, pay, doe, and observe to our soveraigne Lady the Queens
Majestie, her heires and successours eberie thing and things to be yeeld-
ed, payed, done and observed of their parts by tenour of their Letters
patents, and shall yeeld, and pay to eberie other person & persons ebery
rent, custome profite and duty which of right they ought to have out
of any the said hereditaments, or by reason of the same at any time
sithence the date of their Letters patents before the passing of
this Act.

CAP. IIII.

An Act that five persons of the best and eldest of every nation amongst
the Irisheri, shall bring in all the idle persons of their surname to
be justified by Law. Rot^h Parl. cap. 6.

VV Here we your Majesties most humble and obedient sub-
jects, have ben these many years past grieved with a
generation of vile and base conditioned people, bred and
maintained by (copenie and liberties) the aunient ene-
mies to the prosperitie of this your Majesties Realm, of which sort the
Lords and Captains of this Land hath to raise and stirre up some to be
maintained as outlaws to annoy each others rules, and so serving the
iniquitie of the time, hath not onely in attending those practises
imbased their owne particular estates, but also brought the whole pub-
like wealth of their supposed rules to ruine and utter decay, for reme-
die whereof your said Subjects most lowly and humbly beseech it may
be enacted, ordeined and established by your most excellent Majestie,
with the assent of the Lords spirituall and temporall, and the com-
mons in this present Parliament assembled, and by the authoritie of
the same, that from henceforth, five persons of the best and eldest of
eberie stirpe or nation of the Irishrie, and in the countries that bee
not as yet thire grounds and till they bee thire ground, shall be bound
to bring in to be justified by law all idle persons of their surname,
which shall bee hereafter charged with any offence, or else satisfie of
their owne proper goods the hurtes by them committed to the parties
grieved, and also yeeld to the Queens Majestie, her heires and suc-
cessours, such fines as by the Lord Deputy, governour or governours
and the Councell of this Realm for the time being shall bee assessed
for their offences.

CAP. V.

An Act for revyving the statute against gray Merchants, the statute
for servants wages, and the statute of jocosailles. Rot^h Parl. cap. 7.

W Here in the first session of Parliament holden within this realm
at Dublin the monday next after the feast of the holy Trinity
the xiiii. day of June in the xxxiii. year of the Raine of the no-
ble King Henry the eighth, Father to our soveraign Lady the Queens
Majestie, before the right honourable Sir Anthony Scintleger Knight
M m

Rep.
Carl. cap 6.

Ir. 8. 33 36.
cap. 2. Ir. 8.
35 36 cap. 12

An Act for
Rebbiting
of the Statute
against gray
Merchants
servants
wages and
one footsailes.

Ar. n. 33 18:
cap: 9

Ar. n. 33 18:
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cap: 3

one of the Gentlemen of the said noble Kings privy Chamber, Lord Deputie of Ireland, There was, an Act established and made by authority of the said Parliament, that no person or persons to the intent to sell the same again, should buy or cause to be bought within this Land any hydes, felles, checkers, fleges, yarne, linnen cloth, wooll or flockes, in any other place or places, but onely in the open market or fayr, And if any person or persons did otherwise, and were of the same duely convicted, that then every person or persons so convicted to be adjudged a foretaller of the market, with certain penalties in the same Act. which Act was to endure but to the last day of the next Parliament then after to be holden within this land, in which Parliament there was one other Act made and established, intituled An Act for servants wages, to endure to the next Parliament within this land after to be holden. And in the next session of the said Parliament holden before the said Lord Deputie at Lymerike the fiftēth day of Februarie in the said three and thirtieth year of the reign of King Henry the eighth there was one other Act established and made, intituled An Act for proceeding to judgement notwithstanding mispleading, jeofaile or certaine other defaults, which Act was to continue to the last day of the Parliament then next to be holden within this Realm. for that the said Acts are meet and expedient to be continued, It is ordeyned established and enacted by our Sovereign Lady the Queens Majestie by the assent of the Lords spirituall and temporall, and the commons in this present Parliament assembled, and by anthozitie of the same, that the said three severall Acts, and every article, clause, provision thing and things in the same specified or conteyned shall be recontinued, revived, and from henceforth for ever, remaine as lawes, within this Realm to be observed and kept: any cause or matter to the contrarie notwithstanding.

Stat^s, Ordination^s, & Act^s in Parlamento prædictⁱ apud Dublin. prædictⁱ. die Lunæ proxim. ante festum sancti Mathæi Apost. viz. vicesimo primo die Februar. Anno undecimo Regni Regine prædictæ coram Præfato deputato similiter teno edit. in hæc verba.

C A P. I.

An Act authorising Statutes, Ordinances, and Provisions to be made in this present Parliament concerning the government of the common-weale, and the augmentation of her Majesties revenues notwithstanding Ponnynges Act. Rott, Parl. cap. 8.

concerning
the govern-
ment: of the
Common
weale and
the aug-
mentation
of her
Majesties
revenues.

In their most humble wise beseechen your most excellent Majestie, the Lords spirituall and temporall, and all other your highnesse most loving and obedient subjects, the commons in this your high court of Parliament assembled: That tohere in a Parliament holden at Drogheda, the Monday next after the feast of Saint Andrew the Apostle, in the tenth year of your most noble grandfather King Henry the seventh, before Sir Edward Ponnynges Knight then Lord Deputie of this Realm, it was amongst other things enacted & established, That no Parliament should be holden in this Realm, but at such season as the Kings Lieutenant and councill here did certifie the King under the greate seale of this Realm the causes and considerations, and all such Acts as them seemed, should passe in the same Parliament, and such causes and considerations and Acts affirmed by the King and his Councill to be good and expedient for this Realm, and his licence thereupon, as well in affirmation of the said causes and Acts, as to summon the said Parliament under his great seale of England

England, had and obtayned. That done, a Parliament to be had and holden after the form and effect afoze rehearsed: and if any Parliament bee holden in this Realm contrarie to the forme and provision afozesaid, it bee deemed voyd and of none effect in the Law. By occasion whereof, no establishments or provisions can be concluded by the bodie of your Majesties Parliament being assembled, but such onely, as have been before their assembly certified unto your highnesse, and affirmed by the same. And so the most grievous sores of this your highnesse common wealth, which are best known to such as are and shall be appoynted to be of that high court, and most felt by them, cannot be conveniently reformed, as having not been before certified to your highnesse. It may thereof please your Majestie of your most abundant grace, and for the Princely zeale that your highnesse hath ever tenderly borne unto this your poore Realm, that it be enacted, ordeyned and established, and bee it enacted, ordeyned and established by your most excellent Majestie, with the assent of us the Lords Spirituall and Temporall, and Commons in this present Parliament assembled, and by the authoritie of the same, That all and every the Acts, Statutes, Ordinances, Provision, thing and things of what nature, name, condition or qualitie the same shall be of, to be had done, made, ordeyned, and established by the authoritie of this present Parliament that shall concern the common weale of this Realm, or of any Province, Territory, Country, Shire, member or part thereof, or any good orders for repression and reformation of enormities, vices and abuses that doe or may annoy this common weale, or any part or member thereof, or your highnesse subjects resistant therein, or the better correcting or amending of defaults that shall be seen to the sayd Court of Parliament meet to be reformed for the ease of your highnesse, subjects, or the devise of wholsom ordinances for the correction and well ordering of the life and manners of your Majesties people here, or the establishment of civill policie, quiet and order amongst your good and loving subjects, or the augmentation of your Majesties revenues, or the assurance of your Majestie, your heyers and successours to any lands, tenements, hereditaments, casualties commodities or profits which shall be certified unto your Majestie under your great Seal of this your Realm of Ireland, and by your highnesse allowed and consented unto, and after returned unto Ireland under the great Seal of England, and after openly proclaymed in the Cities and Townes of Dublin, Waterford, Cork, Limerick Drogheda, and Galwey, shall immediately after the said Proclamations in form afozesaid, made and pronounced, and not before be good, effectuell, and of full force and validitie to all purposes, intents and constructions. The sayd Act made at Drogheda or any other Act or Acts, Constitution, use, law, prescription or custome heretofore had, done, made, used or continued within this Realm to the contrarie of this present Ordinance or establishment in any wise notwithstanding.

Stat^s, Ordination^s, & Act^s in Parlian^t præd^a apud Dublin præd^a die Mercur. v. Vicefimo tertio die Februar. Anno undecimo Regni Regine prædictæ coram præfato deputato similiter tento edit, in hæc verba

CAP. I.

An Act for the Attainder of *Shane O'Neale*, and the extinguishment of the name of *O'neale*, and the entitling of the Queenes Majestie her heyers and successours to the country of Tyrone, and to other countries and territories in Ulster.

¶ m m 1

when

Ulster the
fift parte of
Ireland.

The apolo-
gie of Shane
Oneyles trea-
sons and at-
tempts.

Vhen we consider our most intirely beloved and no lesse dread Soberaign Lady and Princesse, the loving mind and daily charges which you incessantly spare not to imploy both for the advancement of the honour of this your Realme of Ireland, and the suertie and profite of us your faithfull and obedient Subjects of the same. Wee cannot nor ought, except we would be noted to the world for ingrate and unnaturall people to your royall person being our supream head and defendor, but studie, devise and invent all the best wayes and means we can possible, both to increase your kingly estate over us, and also help to uphold and maintaine with the rampier of our carcasses and consumption of our goods. And as the glory of Kings doe not onely consist in high bloud or haughtie progenie, abundance of priuate riches and substance wherewith your Majestie is on every way plentifully adorned, but also the greatest magnificence of a prince reflecteth in populous, rich and well governed regions, wealthy Subjects and beautifull cities and towne, of which the imperiall Crowne of England hath bin before this time conveniently furnished within this Realm of Ireland, untill through the iniquitie of times, such as yet remaine were impaired, and the rest utterly lost, but now thanks be unto almighty God thone well amended, and the seates, signes, plattes and places of thother recontinued to the quiet possession of your most excellent majesty, aswel by the death and finall destruction of that caitife and miserable rebble Shane Onellie, as also by other godly and careful trade of government used by your Majesties deputie Sir Henry Sidney, which Rebble to the perpetuall damage and infamy of his name and linage, refusing the name of a Subject and taking upon him as it were the office of a Prince, hath proudly, arrogantly and by high and perillous practises enterprised great surres, insurrections, rebellions and horrible treasons against your royall Majestie your Crown and dignitie imagining and compassing thereby to deprive your highnesse, your heires and succellores from the reall and actuall possession of this your Majesties Kingdom of Ireland, your true just & auncient inheritance to you by sundrie discentes & authentike strong titles rightfully & lawfully devoluted, as to the very indubitate & lawfull heire thereof by pretext of keeping to him & his surname the dominion & teritories of Ulster unjustly claimed as their soile & ancient inheritance being the fift & one of the largest partes of this your Realm, & standing in the most perillous place of the same. & forasmuch most gracious Soberaign Lady, as for the manifold heynous offences committed by the said traytour & his confederats, our intent & earnest desire is to intitile your Majestie, your heires & succellores by Parliament to the dominion & teritories of Ulster as a foundation layd for your highnesse to plant & dispose the same for encreasing of your rebenue, strengthening of us & confirmation of this your Realm, we think it not unneces-
sarie first to open unto your Majestie & your Nobilitie of England by this our humble supplication addressed unto your most Princely estate the fall & trayterous attempt of that Archrebell & arrant traytor as an introduction to so great and good a purpose to the intent that like as wee your people are replenished with incredible joy and gladnes for being delivered from the perill of so great and cruell a tyrant, so your Majestie, would vouchsafe to expresse your just deserved indignation by matter of record against the bloud, Progeny and Linage of so vile abhominable and seditious person. And therfore to begin, it may please your Majestie to understand, that after that your most famous father King Henry the eighth, hath upon the humble submission of the late

Coun-

Coun Oneyle, father to the said traytour created the said Coun Earle
 of Tyrone and his sonne Matthew Oneyle Baron of Dunganan the
 remainder of the said Earledome to the said Baron and his heires males
 of his bodie lawfully begotten, the said Shane Oneyle of pretended
 malice to prevent that English creation and order of succession did
 fallly and trayterously in his said fathers life time murder the said
 Baron being a faithfull subject to the Crowne of England, and after
 the decease of his said father, usurped and tooke upon him the name of
 Oneyle with the whole superiortie, rule and governance of all the
 Lords and Captains of Ulster according to the Irish custome in scorne
 of that English creation, and so proceeded on with tyrannie oppression
 and disobedience untill he openly and publikly in the begining of your
 Majesties raigne levied warpe and cruell warre against your Majestie
 depopulating, killing, robbing and spoyling of us your faithfull and
 obedient subjects within this your Realm of Ireland, he entered first in-
 to Oreyles countrie and took hostages of him to be his man and at his
 commaundement, and after that made a roode into Circonile and
 there by treachery and falsed took Odonile a faithfull subject to
 your Majestie, his wife and his sonn and heire prisoners and so cru-
 elly handled the said Odonil that through duresse of imprisonment he
 was compelled to yeeld up into his hands his holdes and Castels, his
 plate and all his substance, and then putting him at libertie deternd
 till the sonne in captivitie and the wife he kept in carnall knowledg:
 Thus having Odonils countrey and people at commaundement, he
 began to fortifie a strong Iland in Tyrone, which for the strength and
 force of the place hee caused to be called in dispite Fooghnegall, which
 is as much to say as the hate of Englishman. And further for mani-
 festation of this rancour and cancred heart to that nation, hee cruel-
 ly hanged one of his country by the feet onely upon bare suspicion that
 he should be a spie for Englishmen, another he hanged because he was
 found with English bisket about him, the third being one of the cap-
 taines of your Majesties Galloglasses named Fardozogh mac Donill
 falling infortunatly into his hands, hee so crushed by torture and du-
 resse of binding that he brack his backe bone and so ended his life mi-
 serably. And albeit that these and other the actions and doings of the
 said Shane Oneyle hath ben sithence that time so manifest rebellious
 and trayterous against your most excellent Majestie your estate
 crowne and dignitie as each member of this Commonwealth and King-
 dome hath well felt the same, by his arrogant undutifull and trayte-
 rous attempts, untill the arrivall of Sir Henry Sidney, your Ma-
 jesties Deputie of this realm, yet for the more evident declaration of
 your Majesties clemencie and of his unnaturall, ingrate and detesta-
 ble conspiracies and treason, the said Lord Deputy with the advise of
 the Councell here, hath thought good to publish and denounce by Pro-
 clamacion, what hope your highnesse had of his dutifullnesse and con-
 formity, and how worthily his deserts hath heaped upon him your
 highnesse utter indignation, correction and incurable displeasure, and
 namely sithence the said Lord Deputie accepted the deputation and go-
 vernement of this Kingdome, before which time his dissimulation and
 hypocrisie was such as in humble and repentant manner he promised
 his loyaltie and faithfull obedience with such subiection hereafter, as
 he obtained at your Majesties hands not onely peace but pardon to his
 offences against your highnesse and your crowne, and after that ex-
 hibiting certaine petitions in England by the Dean of Armagh the
 same Deane was returned with letters from your Majestie to the
 said

Hostages ta-
 ken by Shan
 Oneyle of the
 Oreyles

Odonil ta-
 ken prisoner

Shanes
 cruelties.

Shanes peti-
 tions by the
 Deane of
 Armagh
 graunted
 in England

Shane delu-
beth the De-
puty in a
meeting at
Dondalke.

Shane defa-
ced Armagh

A second
meeting
required by
Shane in
dissimulation

Shane entr-
eth the Pale
and besieged
Dondalke.

Practises
to draw in
strangers.

said Lord Deputie wherein the most part of his demaunds were yeelded to conditionally that it appeare to the world that he ment faithfully, effectually and truly to observe and performe his humble and loyall promise, which being dissimuled till the first of May which was in the year of our Lord God a thousand five hundred threescore and five at which time hee craved a meeting and conference in the confines be- sides Dondalke. The said Lord Deputie and councill both for his be- nefite and the quiete estate of this countrey repayred thether and there continued the space of five dayes, where in all that space he could not be perswaded or allured by his friends either to repaire to the said Lord Deputie according to his bounden dutie or to meete in conveni- ent place where by speech and conference his loyaltie and good mean- ing (if there had been any) might have been witnesssed and dissiphered by the said Lord Deputie and Councill, and by them for his benefite pronounced to your highnesse. At his returne from thence the malice of his traytor heart waxing as it were to a ripenesse and not any longer able to be conteyned repressed or hidden in it selfe, he hath not onely ruyned, broken downe and defaced the Metropolitane Church of Armagh in the countie of Ulster, most unnaturally yea irreligi- ously and contemptuously, but also hath raised divers holds fortes, houses and Castels within the same countie, deteyning and impris- oning your Majesties good and obedient subjectes without any cause of offence offered, and besides invaded the countrey of Fermanagh and from thence expelled mac Dwire your Majesties good and faithfull subject, exempted from all rule and authoritie of Oneyle and his auncessers as may appeare by sufficient testimonie and record. And when after these tyrannous, felonious and trayterous attempts, he urged againe a Parliament and meeting the five and twentie of July in the yeare aforesaid, professing by the humilitie of his letters as though he had been glad of peace and tranquillitie, forasmuch as the said Lord Deputie and Councill were truly advertised that he repaired to the confines in warrelike manner with all the force and power he was able to make, it was thought meet that a convenient force to resist his invasions should at that day be assembled at Don- dalke aforesaid. And albeit that by the space of two daies the said Lord Deputie remained in the frontiers of Ulster readie to heare any request that he should humbly ha be offered, yet he not onely refused to repaire unto him or to send any man instructed in his griefes, but caused his people to begin warre and skirmish contrary to his oath and duetie of a subject, and after such time as the said Lord Deputie had dispersed his force for the commoditie and ease of the people, the same Oneyle hath with banners displayed as an open enemy traytor and rebell entred into the English pale, and with fire and sword, wasted part of the country and slew of your Majesties subjectes, and lastly hath besieged Dondalke where the pride and treason of his arrogant rebellious minde was justly scourged by God and the valiant defence of the souldiers and inhabitants where he lost no small number with their Captaines insignes and leaders. And for a further declar- ation of the malice of this traytour, it is evident that he hath practised with foraine Princes to bring into this Realm a power of strangers to the disherison of your Majestie and the utter ruine and spoyle of this your highnesse countrey and people as most manifestly appeareth by his owne letters addressed aswell to Princes as to sundrie other for-aine potentates politicely intercepted by the said Lord Deputie shew- ed to some of us, and as we are informed to your most excellent. Majestie

Majestie. For all which causes the said Lord Deputie and Council
 did pronounce him a rebell and most unnaturall vile and corrupt tray-
 tour to your highnesse, your crown and dignitie to bee prosecuted as ^{all proclama-}
 the lothsomnes of his treason and rebellion deserved at your Majesties ^{ed except}
 hands, with all his confederates maintayners and partakers, except ^{such as sub-}
 such as before a certaine day then limited should personally come and ^{mitted by a}
 submit themselves to the said Lord Deputie, to receive your Majesties
 pardon with such conditions for the assurance of their fidelities here-
 after as to him should seeme good. And the said traytour having by
 this effrenable meanes growen to great power and force, did bring the
 whole North of Ireland in subjection to him and under his rule, where-
 in he had a scope of a hundred and twentie miles long, and a hundred
 and odde miles broad to runne and roome himselve, and then began
 to put in a foote in Connaght and to procure friendship in the Pro-
 vince of Mounster by his secreete Letters and messengers sent to the ^{Shan had}
 greatest Potentate there, exciting him to rayse warre and rebellion in ^{practises in}
 that end of the Realm to the intent that your Majesties army here ^{Punster.}
 might not wholly attend to his resistance in the warpe and daily inven-
 tions by him attempted to burn, kill, spoyle and destroy us your
 Majesties faithfull Subjects within the English pale of this your
 Realm. And although he was deened of that request, yet that intreatie
 together with the greatnesse of the intreator did incourage many lewd
 persons in those parts to live in great disorder apt to runne to armone
 by his prosperity. Thus this pernicious rebell in whom the wicked
 of this Realm had reposed their whole trust of libertie to rest and live
 at randan, continued in his pride and tyrannicall ruffling untill by
 the diligent ministry actuall warre and politique persecutions of your
 Majesties painefull prudent and well disposed Deputie Sir Henry
 Sidney Knight of your honourable order, a man most fit for the re-
 formation of this your Realm, and of us your faithfull Subjects in ^{Sir Henry}
 that respect so truly beloved as he hath not lacke of our hearts and ^{Sidneys}
 willing mindes both to serve and contribute for the advancement of ^{Commun-}
 this commonwealth whereon we see and feele his eye continually fixed,
 who losing no time nor slugging one hour hath so actually followed
 the warre that from the first to the last there were of the said traytors
 men slain and drowned to the number of three thousand five hundred
 persons or there abouts, himselve discomfited and put to sundry
 flights, his wings daily pulled a way his passages stoppe, and his places
 of refuge by good foresight so anticipated as he was driven to such
 straightnesse and extreem exigent that the second day of June, a thou-
 sand five hundred threescore and seven, feeling himselve all weakned
 and beholding his declination and fall neer at hand abowed and fully
 determined to come in disguised manner for fear of intercepting with
 a collar about his neck to the presence of the said Lord Deputie and to
 submit himselve as a wretched man hoping by that order of humilitie
 to have some mercie and grace at your Majesties hands until he was
 staid against his will by such as pretended to be his trustiest
 Limmes, and in especiall by the perswasion of a barbarous clerk nam-
 ed Peyle master Kener whome hee had in most reputation and used
 for his secretozy, by whose counsell the said rebell was drawn first
 to try and treat the friendship of the Scottes in joyning with them
 for the maintayning of that his traytours rebellion, which if he might
 not obtain then agreed that his first determination was the likeliest
 way to save his life with the losse of his lands & reputation, & thereupon ^{Scottes in}
 took his journey to wards the Scottes, who were then incamped in ^{Clanboy.}

Shane Oneyll
betwixt to
peeres by
Scottes

His head
ken up by
captaine
Pierce and
delivered
to the Lord
Deputie.

Clanchoy to the number of five hundred under the leading of Alexander Oge brother to James mac Conill and one Macgillaspicke his nephew sonne to Agnes Joye brother also to the said James which was slaine in the late overthow given by the said Shane Oneyll to the Scottes, and so entered the Tent of the said Alexander, accompanied with Odonilles wife, whome he kept, Sawlye Cowpe brother to the said Alexander, the said Secretorie and the number of fiftie horsemen, where after a few dissembled gratulatorie words used betwixt them they fell to quaffing and drinking of wine. This Agnes Jeyes sonne, all inflamed with malice and desire of revenge for the death of his father and uncle, began to minister quarelling talke to Oneyll who took the same verie hot, and after some reprochfull words past betwixt them, the said Gillaspicke demanded of the Secretorie whether he had heard abroad that the Ladie his Aunt, wife unto James mac Conill, did offer to come out of Scotland into Ireland to marrie with Oneyll, the Secretorie affirmed himselfe to bee the Author of that report, and said with all that if his Aunt were Queen of Scotland she might bee well contented to match herselfe with Oneyll, the other whith that gave him the lye and said that the Lady his Aunt was a woman of that honestie and reputation as would not take him that was the betrayer and murderer of her worthy husband. Oneyll giving eare to the talke, began to maintayne his Secretories quarell, and thereupon Gillaspicke withdrew himselfe out of the Tent and came abroad amongst his men, who forthwith raised a fray and fell to killing of Oneylls men, and the Scottes as people thirstie of Oneylls blood, for requiting the slaughter of their Master and kinsfolke, assembled together in a throng and thrust into the tent where the said Oneyll was, and there with their slaughter swords betwixt him to pierce flew his Secretorie and all those that were with him except a verie few which escaped by their horses. Alexander Oge after this boucherie handling of this cruell tyrant caused his mangled carrosse to be carried to an old ruinous Church neer unto the camp, where for lack of a better shroud he was wrapt in a kerns old shirt, and there miserably interred, a fit end for such a beginning, and a funerall pompe convenient for so great a defacer of Gods Temples, and a withstander of his Princes lawes and regall authoritie. And after being foure dayes in earth, was taken up by William Pierce and his head hundered from his bodie was brought unto the said Lord Deputie to Drogheda the one and twentieth day of June in the year of our Lord God a thousand five hundred threescore and seven, and from thence carried unto the citie of Dublin, where it was bodied with a stake, and standeth on the top of your Majesties Castle of Dublin. Thus in short space beyond the expectation of man was this unnaturall, odious, and arraunt rebell, naming himselfe sometime King of Ulster and King of all the Irish of this Realm, and sometime their patron, protectour and defendour, by the mightie hand of God brought to confusion, and delivered into the hands of his competitors for the lands and possessions of your Majestie and of your true and faithfull subjects of this Realm. And now most deere soveraign Ladie, least that any man which list not to seeke and learn the truth, might be ledde either of his owne fantasticall imagination, or by the sinister suggestion of others to think that the sterne or lyne of the Oneylls should or ought by prioritie of title to hold and possesse any part of the dominion or territories of Ulster before your Majestie your heyres and successors, we your graces said faithfull and obedient subjects, for avoiding

of all such scruple, doubt and erroneous conceit doe entend here (pardon first craved of your Majestie for our tedious boldnesse) to disclose unto your highnesse your auncient and sundry strong authentique ty-les conveyed farre beyond the sayd lynage of the Oneyles and all other of the Irishrie to the dignitie, state, title and possession of this your Realm of Ireland. And therefore it may like your most excellent Majestie to be advertised, that the auncient Chronicles of this Realm written both in the Latine, English, and Irish tongues, alledge sundry auncient titles for the Kings of England to this land of Ireland. And first that at the beginning afore the comming of Irishmen into the sayd land, they were dwelling in a province of Spaine, the which is called Biscan, whereof Byon was a member, and the chief citie. And that at the said Irishmens comming into Ireland, one King Gurmond, sonne to the noble King Belin King of great Britaine, which now is called England, was Lord of Bayon, as many of his successours were to the time of King Henry the second, first conquerour of this Realm, and therefore the Irishmen should be the King of England his people, and Ireland his land. Another title is, That at the same time that Irishmen came out of Biscay as exiled persons in little ships, they met with the same King Gurmond upon the Sea, at the ples of Orades then coming from Denmark with great victory, their captaines called Hiberus and Hermon, went to this King, and him told the cause of their comming out of Biscay and him prayed with great instance that he would graunt unto them that they might inhabite some land in the West. The King at the last by advise of his counsell granted them Ireland to inhabit, and assigned unto them guides for the Sea to bring them thither: and therefore they should and ought to be the King of Englands men. Another title is, as the clerke Geraldus Cambrensis writeth at large the historie of the conquest of Ireland, by King Henry the second your famous progenitor, How Dermot mac Morch prince of Leinster, which is the first part of Ireland being a tyrant or tyrants, banished went over the Sea into Normandie in the parts of France to the said King Henry, and him besely besought of succour which hee obtayned and thereupon became liege man to the said King Henry, through which he brought power of Englishmen into the land, and married his daughter named Eve at Waterford, to Sir Richard Fitz Gilbert Earl of Stranguile in Wales and to him graunted the reversion of Leinster with the said Eve his daughter. And after that the said Earle granted to the said King Henry the Citie of Dublin, with certaine cantredes of lands next to Dublin, and all the Haven-Townes of Linster to have the rest to him in quiet with his Graces favour. Another title is that in the year of our Lord God one thousand one hundred sixtie two, the aforesaid King Henry landed at the Citie of Waterford within the Realm of Ireland, and there came to him Dermot King of Corke, which is of the nation of the mac Carties, and of his owne proper will became liege, tributorie for him and his kindom, and upon that made his oath and gave his hostages to the King. Then the King roade to Cashell, and there came to him Donalde King of Linmerike which is of the nation of the O Bzenes, & became his liege as the other did. Then came to him Donald King of Ossorie, mac Shaghlin King of Ophaly and all the Princes of the South of Ireland, and became his liege men as afore-said. Then went the said King Henry to Dublin, and there came to him O Kirnill King of Uricell, O Rowcke King of Meth and Rothorick King of all Irishmen of the land, and of Connaght with

The Kings
absence titles
to Ireland.

Irishmen out
of Biscan
in Spaine.

the first title

The second
title.

The third
title

Earl of
Stranguil.
Dublin, &c.
granted to
the King
Stranguill.

The fourth
title.

Henry the
second land-
ed at Water-
ford

Deherall
Kings of Ire-
land

All Ireland
subjects to
the se-
cond.

Henry the
second gave
Ireland to
his son John
the first title
of his title
was the first
conquest of
Ireland and
all the
king's liege
men to him

Robert Fitz
Stephen.

John de Courcy
held Ulster
by conquest
a gift from
the King.

all the Princes, and men of value of the land, and became liege subjects, and tributaries by great Oathes for them, their Kingdomes and Lordshippes to the said King Henry, and that of their owne good wills, as it should seem for that the Chronicles make no mention of any Warre or Chivalrie done by the said King, all that time that hee was in Ireland. And in the year of our Lord God a thousand, a hundred, fourescore and five, hee gave the land of Ireland to his youngest sonne John by name about which time the said John came in person into Ireland, and held the same land. Another title is, that all the Clergie of this Realm assembled at Armagh at the time of the conquest upon the comming over of Englishmen our forefathers, and their it was decreed and deemed by them, that through the sinne of the people of the land by the sentence of God the mischief of the conquest them befell. Another title is, that at the first comming and being of King Richard the second in Ireland, at the Citie of Dublin, and other places of the Land, there came unto him with their owne good wills O Neyle Captaine of the Irishmen of Ulster, O Breene of Thomond, O Connor of Connaght, Arther mac Mochie Captaine of Irishmen in Leinster, and all Capitaines of Irishmen of Ireland, and became Liege men to the said King Richard, and to him did homage and fealty and for the more greater suertie bound themselves in great summes of Money by divers Instruments in case they did not truely keepe and hold theire allegiance in the forme aforesaid. & therefore sayeth this clerk, that from the beginning of his time, which was about three hundred, & fourescore years past, good is the King of Englands title, & right to the land & lordship of Ireland, & wisheth him for shame to hold the same as a thing of great price in despite of them that would say the contrarie. This Authoꝝ in a short collection of this his historie saith that one Robert Fitz Stephen was the first man that opened the way of Ireland to the Earle Strangwyle, the Earle, to King Henry, the King to his son John, and that greatly hee is to be praised, that first so boldly began, and greater worthy of prayse that after the beginning so nobely came to execute, the thing so well began, but most of all he is to be prayed that shall end the same. Which prayse by Gods divine presence, is light on your Majestie, in whose happie dayes this four hundred and foure years began conquest, is now ended and brought to an honourable passe without any great effusion of blood, but by a godly conquest in winning of the people and the land, who now being over layd by the mightinesse of your power, and perswaded by the just and gracious dealing of your deputie here, are fatigated with warre and begin to cry, first for your mercy, and next for your justice, to remaine as a continual stickler among them to right and end their causes for ever. Now leaving these historicall titles, which be witnesse of time, and the meane whereby man is brought to the knowledge of antiquities, as a firme foundation layed for your Majesties good, & sound right to this Realm. We will corroborate the same with recent matter of record verifing your Majesties title in generalitie to the whole Realm of Ireland, and in particularitie to the dominion and territories of Ulster. And therefore it is to be understood that King Henry the second the first conquerour of this Realm sent one John de Courcy being a valiant knight and a bozne subject to the Crowne of England into Ulster with a power of men who first won the Citie of Downe, and after that conquered all Ulster, and brought the people of the same in due subjection to the crowne of England, and for his painefull service and worthy deedes did hold and possesse the said countrey of Ulster quietly of the King of Englands gift, of whose

com-

companions in armes there remaineth at this day in Ulster as a testi-
 monie of that conquest certaine stirpes of English bloud, as the Sa-
 bages, Vordans, fitz Simons, Chamberlins, Bensons, Russels, Aude-
 leys, Wibytes, and many others as propriators of large portions of
 land hardly & valiantly hitherto kept by them, although with great
 peril & povertie. Which John de Corsie died without issue, after whose
 death the same countreis was given to Hugh de Lacy, and to his heires,
 who died having issue a daughter, which daughter was married to one
 Redmonde de Burgo, which Burgo after thre or foure discentes had
 issue a daughter was espoused to Leonell Duke of Clarence third begot-
 ten sonn of your most famous progenitor King Edward the third, who
 likewise quietly held the same countrey of Ulster during his life in
 right of his said wife, and died having issue Phillippe his onely daugh-
 ter which was married to Edmonde Mortimer Earle of March, who
 long and honourably enjoyed the same country, which Edmond Morti-
 mer had issue Roger Mortimer earl of March which had issue Edmond
 Mortimer Anne and Elynor, which Edmond and Elynor died with-
 out issue. And the said Anne was married to Richard Earle of Cam-
 bridge sonne unto Edmond of Langley Duke of York the first begotten
 sonne of the said King Edward the third, which Richard had issue the
 famous Prince Richard Plantagenet Duke of Yorke, which had issue
 that noble Prince King Edward the fourth, father to the vertuous
 Queen Elizabeth your Majesties graundmother, united in matrimo-
 ny to the high and sage Prince King Henry the seventh, your ma-
 jesties good and gracious grandfather, during all which time the
 O'Neyles were of no estimation nor durst bear up head in Ulster, but
 lived as vassalls and obedient people to the crowne of England, un-
 till civill warres began in the Realm of England betwixt King Rich-
 ard the second, and Henry of Lancaster sonne to John of Gaunt, by
 which discord the foundation of this Common-wealth began to shake
 for that, that those personages of honour and reputation here with-
 drew themselves into England to be occupped as they were affected in
 that factious time, upon whose departure the O'Neyles and other of
 the Irishie here sought and took opportunitie to withdraw from their
 dutie of allegiance, and so to doe all that which appertained to rebell-
 ious and undutifull subjects to doe, and so discontinued uncontrol-
 led untill the foure and thirtieth year of the reign of your most fam-
 ous and victorious father King Henry the eighth, at which time O-
 Neyle, O Breene, mac William Bourk and others the greatest and
 chiefest captaines of the Irishie of this Realm repaired into England
 to his Majesties royal presence, and there with all humilitie, free con-
 sent, and good will submitted themselves unto his grace, resigning
 and surrendring up into his highnesse hands their captainships, titles
 titles, dignities, superiorities, countries, and lands to be ordered and
 disposed at his Graces pleasure, who like a mercifull and a bounteous
 Prince accepting the same, returned them home againe with English
 names of honour, great gifts and possessions to be holden in succession
 by English tenure of his Majestie, his heires and successours for ever.
 And farther in a parliament holden at Dublin within this Realm the
 eight and twentieth year of the raigne of your said most famous
 father. It was enacted by an Act intituled, the act of Absencie, that
 forasmuch as it was notorious and manifest that this land of Ireland
 being heeretofore inhabited and in due obedience to the said Kings most
 noble progenitors, who in those dayes in the right of the crowne of
 England, had great possessions, rents and profits within the same
 land.

The same
lands fell to
Hugh de Lacy

And so to de
burgo, and
so to R.
Richard the
third. And
so to the
earle Mort-
timer.

Mortimer
earl of
March

The queens
sister to Ulster
by lineall
descent

Disorders in
Ireland by
the tumults
of England

O'neyle &c.
into Eng-
land to R.
Henry 8

The Irishie
surrender to
Henry 8.
by him re-
graunted.

Against the
absence of
English Ir-
ish Lords.

Inconveni-
ences there
by.

The Earle-
dome of
Leinster and
Ulster inest-
ed in Henry
8. &c.

King Henry
8. made
King of
Ireland.

land, hath principally growen into ruine, rebellion and decay by oc-
casion that great dominions, lands and possessions within the same
land, aswell by the Kings graunts as by course of inheritance, descend-
ed to noble men of the Realm of England, and especially the lands
and dominions of the Earldomes in Ulster and Leinster. The con-
quest and winning whereof in the beginning not onely cost the Kings
said noble progenitors and their faithfull subjects of this Realm charg-
es inestimable; but also those to whom the said lands was given then,
and many years after abiding within the said land nobly and valiant-
ly defended the same against all the Kings enemies, and also kept
the same in such tranquillitie and good order as the King of England
had due obedience of the inhabitation there, the laws obeyed, and of the
revenues and regalities were duely answered, and after the gift or dis-
cent of the said lands, possessions and dominions to the persons afore-
said, they and their heires absented themselves out of the said land of
Ireland, deniourning within the Realm of England not pondering ne
regarding the preservation thereof. The townes, castles, and gar-
risons appertaining unto them, fell in ruine and decay, and the Eng-
lish inhabitants therein in default of defence and justice, and by
compulsion of those of the Irish were exiled, whereby the Kings said
progenitors lost aswell their said dominion and subjection there, as
also all their revenues and profits & their said enemies by readopting
or retayning the said lands, dominions, & possessions, were elevated in-
to great pride, power & strength for suppressing of the residue of the
Kings subjects of this land, which they daily ever since have attempt-
ed, whereby they from time to time usurped and encroched upon the
Kings dominion, which hath been the principall cause of the miserable
estate, wherein the land was at that present time. And those lands
and dominions by negligence and default of the very inheritors after
this manner lost may be good example to your Majestie, intending by
the grace of God the reformation of the said land, to forese and pre-
vent that the like shall not ensue hereafter. Therefore the three es-
tates of this Realm, assembled in that present Parliament did enact,
condiscend and agree that your Majesties said most famous father
should have hold, possesse and enjoy to him his heires and successours
for ever, as in the right of the crown of England aswell the said Earl-
domes of Ulster and Leinster, as also all other honours, manours
Lordships, Castles, Seigniories, and other hereditaments whatsoever
to the said persons in any wise belonging or appertayning within this
your Majesties Realm of Ireland. And likewise in a Parliament
holden at the said Citie of Dublin within this land in the three and
thirtieth year of the reign of your said most victorious father. It
was enacted then by authoritie of the said Parliament that your Ma-
jesties said most famous father should be King of Ireland, and that
his highnesse his heires and successours as Kings of the same Realm
should have all kingly estate, preheminance, dignitie and superiortie
over this land and the people of the same, all which recent and strong
title considered together with this your Majesties late honourable e-
diction of the said dominion of Ulster from the usurpation of the tray-
terours intruder Shan Oueyle maketh to manifest proove to the world
of your cleere sound and unspotted titles, both to the whole body of this
Realm and in particularitie to that part and member of Ulster out of
which hath like to have growen the infection and subversion of this
your whole Realm. And albeit most gracious Sovereign Lady that
this your present conquest atchieved, is the consummation of foure
hundred

hundred foure yeares traibaile in this Realm, yet is there of late, to the great glorie of God, your immortall fame and good encouragement a greater conquest then this wrought in this your land of Ireland, which is the abolishing and extirpation of that horrible and most detestable coyne and liberie, which was the very nurse and teat that gave suck and nutriment to all disobediences, enormities, vices and iniquities of this Realm, over foule and filthie here to be expressed, and such as did justly provoke the wrath and vengeance of Almighty God upon the people of this land, and to be feared hath bred some perill of Gods displeasure to your most noble progenitors the Princes of England for so long suffering of the same. By the extirmination whereof there is in so short a time such an alteration of this estate happened, that where before there was every where but howling, crying, cursing, penury and famin, now is there in stead thereof mirth, joy, jollitie, and blessing of your Majestie with such plentifulnesse of graine and victualls among the people of this Realm, as the like hath not been seen nor heard of within the memorie of man, all parts of the same Realm so quieted, the people as it were of themselves so inclined to justice, as we dare say your Majesties commissioners, Justices and commaundements may have at this day free concurrence throughout this your whole Realm of Ireland. This is the handy worke of God, extending his great mercy and compassion upon your poore and long afflicted people of this land. This is the favour which your Majestie have found in the sight of God, to augment, strengthen, and honour your imperiall Crowne of England, by the thorough reformation of this your Realm of Ireland now present at hand, if it please your highnesse to accept the same. This is the diligent and painefull industry of your good servant Sir Henry Sydney, whose part we may not leave unreported without breach of conscience, who laying God for his foundation, hath proceeded by the direct line of Justice according your highnesse instruction, without corruption or respect of persons to bring these great things to passe. And upon the humble knees of our hearts doe render endlesse thanks to the omnipotent God which hath thus blessed this worke in the hands of your Majestie, and your said faithfull servant, and doe most lowly and humbly beseech your most excellent Majestie, that like as to your great charges and our partly, according to our most bounden duty all impediments to the reformation of this your Realm is now taken away. So it would please your highnesse to take such fast hold thereof as we may be from henceforth conserved and kept in order by due administration of Justice, which is the onely way warranted by God to make Princes raigne prosperously, and their subjects to live in due obedience, wealth, and tranquillitie, whatsoever the thoughts or devises of men are to the contrarie. And although (most gracious Sovereign Ladie) that the sayde traytor be dead and mischieved, yet by the law of the land not punished, and therefore to put such traytors in feare in time comming: We the commons of this your Realm most humbly pray your most excellent Majestie, that it may be enacted and be it enacted by your highnes, with the assent of the Lords spirituall and temporall, and the commons in this present Parliament assembled, and by the authoritie of the same, That the said Shane O Neyle shall be of these treasons attainted, and that he shall forfeit unto your Majestie his goods, lands, and tenements, rents and possessions, and his blood corrupt and disabled for ever, and that he shall be reputed, had named and declared a false traytor to your Majestie, your crowne and

Shane O
Neyle at-
tainted,
and his ad-
vantages
lands forfe.

The name
of O Nepe
extinguish
ed.

Arrogating
the name of
O Nepe
high treason

All Cap-
tains of
Ulster ex-
empted
from the
rule of O
Nepe.

Shanes ad-
herents
lands for-
feited.

dignitie, and that all his tyrannie, acts, feates and false opinions shall be a voided, abated, adnulled destroyed, and put out of remembrance for ever, as a thing purposed against God and conscience, & against your Royall estate and preheminance. And forasmuch as the name of O Nepe in the judgements of the uncivill people of this Realm doth carrie in it self so great a soberaintie as they suppose that all the Lords and people of Ulster should rather live in servitude to that name, than in subjection to the Crowne of England: Bee it therefore by your Majestie with the assent of the Lords spirituall and temporall, and the commons in this present Parliament assembled, and by the authoritie of the same, That the same name of O Nepe with the maner and ceremonies of his creation, and all the superiories, titles, dignities, preheminences, jurisdictions, authorities, rules, tributes and expences, used, claymed, usurped or taken by any O Nepe, as in right of that name, or otherwise, from the beginning of any the Lords, Captaines, or people of Ulster, and all manner of offices given by the said O Nepe, shall from henceforth cease, end, determine and be utterly abolished and extinct for ever. And that what person soever he be, that shall hereafter challeng, execute, or take upon him that name of O Nepe, or any superiories, dignities, preheminance and jurisdiction, authoritie, rule, tributes, or expences, used, claymed usurped, or taken heretofore by any O Nepe of the Lords, Captaines or people of Ulster, the same shall be deemed, adjudged and taken high treason against your Majestie, your Crowne and dignitie. And the person or persons therein offending, and being thereof attainted, shall suffer and sustain such pains of death, forfeiture of lands and goods, as in cases of high treason by the laws of this Realm hath been accustomed and used. And for the better extirpation of that name, Be it further enacted by the authoritie aforesaid, that all the Lords, Captains and people of Ulster shall be from henceforth severed exempted, and cut of from all rule and authority of O Nepe, & shall onely depend upon your imperiall Crowne of England, and yeld to the same their subjection, obedience and services for ever. And where diverse of the Lords and Captains of Ulster, as the sept of the Neyles which possesseth the country of Claneboy, O Caban, mac Gwylin the inhabitants of the Glynnnes, which hath been sometimes the Baron Millets lands, and of late usurped by the Scots, whereof James mac Conyll did call himselfe lord and conquerour, Mac Gynnes, O Hanlon, Hugh mac Neile more. The foure septes of the mac Mahounnes, mac Kyvan, and mac Can, hath been at the commaundement of the said traytory Shane O Nepe in this sharpe and trayterous warre by him leved against your Majestie, your Majesties Crowne and dignitie, for whose offences, Be it enacted by your highnesse, with the assent of the Lords spirituall and temporall, and the commons in this present Parliament assembled and by the authoritie of the same, That your Majestie, your heyers and successors, shall have, hold, possesse & enjoy, as in right of your imperiall crowne of England, the country of Tyrone, the countrey of Claneboy, the country of Kyrne called O cabans countrey, the countrey of Kote called mac Gwylins countrey, the countrey & lordship of the Glynnnes usurped by the Scots, the countrey of Iveagh called mac Gynnes countrey, the countrey of Derry called O Hanlous countrey, the countrey of the Fues called Hugh mac Neile mores countrey, the countries of Ferny, Treel, Loghty, & Dartialy called mac Mahouns country, the country of the Croo called mac Kynans, & the countrey of Clancannur

ranny called Mackans countrey, and all the honours, manours, ca-
 stles, lands, tenements, and other hereditaments, whatsoever they be
 belonging or appertaining to any of the persons aforesaid, or to their
 kinsmen or adherents in any of the countries and territories before spe-
 cified. And that all and singular the premisses with their appurtenan-
 ces shall be by authoritie aforesaid, forthwith invested with the reall
 and actuall possession of your Majestie, your heires and successours for
 ever. And now most gracious and our redoubted soveraign Lady,
 albeit that the said Lords and Captains be not able to justifie themselves
 in the eye of the law for the undutifull adhering to the said traytour O-
 peyle in the execution of his false & trayterous attempts against your
 Majestie, your crown and dignitie, yet having regard to his great ty-
 ranny which he used over them and the mistrust of your Majesties ear-
 nest following the warre to deliver them from his tyrannicall bondage,
 as you have most graciously and honourably done, we must think that
 rather fear than any good devotion moved the most part of them to
 stand so long of his side, which is partly verified in that, that many of
 them came into your Majesties said Deputie long before the death of **Tirrelaghe**
 the said traytour, and that after his decease, **Leinagh** whom **Leinagh**
 the countrey hath elected to be O peyle, and all the rest of the said Lords
 and Captains came of their owne voluntarie accord into the presence
 of your Majesties said Deputie being then in Ulster, and there with
 signes and tokens of great repentance did humbly submit themselves
 their lives and lands into your Majesties hands, craving your mercy
 and favour, with sollemne oathes and humble submissions in writing
 never to swerve from that their professed loyaltie and fidelitie to your
 imperiall crowne of England. And therefore we your Majesties
 ancient, obedient, true and faithfull subjects of this your Realm of
 Ireland, with these your strayed and new reconciled people, fleeing
 now under the wings of your grace and mercy as their onely refuge,
 most humbly and lowly make our humble petition unto your most
 excellent Majestie that it would please the same to behold with your
 pitifull eyes the long endured miserie of your said strayed people, and
 rather with easie remission than with due correction to looke unto
 their offences past, and not onely to extend unto them your gracious
 pardon of their lives, but also to have such mercifull consideration of
 them as each according to his degree and good hope of desert may re-
 ceive of your most bounteous liberalitie such portions of their sayd
 feveral countries to live on by English tenure and profitable refer-
 vations, as to your Majestie shall seem good and convenient, in the
 distribution whereof your highnesse said Deputie is best able to enform
 your Majestie, as one which by great search and travayle doth know
 the quantity of the said countreys, the nature of the soyles the quantity
 of the people, their diversitie of their lynages, and which of them hath
 best deserved your Majesties favour to be extended in this behalf. Pro-
 vided alwayes, and be it enacted that this Act or any provision, clause
 or article therein contayned shall not bee understood or interpreted to
 be hurtfull or prejudiciall to the most reverend Father in God the Arch-
 bishop of Ardmagh or his successours, the right honourable Gerrard
 Earle of Kildare or his heires speciall or generall, or his or their assignes
 The right honourable Thomas Earle of Ormond and Ossory or
 his heires speciall or generall, or his or their assignes, The Bishops
 of Downe, Clogher and Downmore or their successours, The Dean
 and Chapter of the blessed Trinitie in Dublin, or their successours,
 fermours or assignes, The Deans and Capities of Ardmagh, Clog-
 her

An humble
 motion for
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they are not
 prejudiciall
 to the parties
 here named
 or any cor-
 porate towns
 or person
 of England
 being intet-
 ed in Ulster
 before the
 her

her and Drommore and their successours, The Lord of Louth or his heyres, Sir Nicholas Bagnall knight or his heyres, Sir John Bellewe knight or his heyres, Christopher Darcey Esquier or his heyres, John Trades of Ballikey or his heyres, Richard Sedgraw of Kyllleglan or his heyres, William Talbotte of Mallahyde or his heyres, Roger Gernone of Gernonston in the countey of Louth or his heyres, Pychas Tasse of Ballagragan or his heyres, Edward Dowdall of Glaspythell or his heyres, Rowland White or his heyres, John White of Baltegan or his heyres, John Caddell of the Hall or his heyres, William Blackney of Rickenhore or his heyres, Christopher Russell of Leral or his heyres, Patrick Goghe late of Mourn in the countie of Downe or his heyres, feoffes or assignes, Sir Chrysstopher Gafney Clerk his heyres feoffes or assignes, Thomas Flemming of Syddan or his heires, Nicholas Tasse of Ratheheskes or his heyres, Manfylde now dwelling in the countie of Waterford or his heyres, feoffes or assignes, or to any other person or persons leyed to the use of any the said persons their heyres or assignes, or to any the fermours, lessees or assignes of any the persons before named or of any their feoffe or feoffes, or to any other person or persons, bodies politique or corporate, their heyres, assignes or successours or any of them being of the mere and naturall English blood and name, that had any right, title, clayme, interest, lawfull entrie or possession in and to any Lordships, mannours, lands, tenements, or hereditaments, situate within any the countries, territories or places mentioned, rehearsed or specified in this Act, or in and to any rights, dueties or priuiledges growing or to grow of any wares, merchandises or forein commodities to be conveyed or brought into any the ports, havens, crökes and other places of discharge, within any part of the said countries, territories, grounds or places at any time before the twentieth year of the reign of the late most famous Prince King Henry the eight father to you, our Soberaign Lady, but that they and ever y of them shall have, enioy, hold, possesse and take full advantage and benefite of their severall rights, titles, claimes interests, lawfull entries or possessions, as if this Act had never bin had or made.

CAP. II.

An Act for making of the Trinitie Term shorter and for the commencement thereof.

Where the Terme called the Trinitie Terme of long time hath been and yet is yearely used to be holden and kept in such time and seasons of the year, that by occasion thereof not onely greate perill and daunger of infection of the plague and sundry other sickenes hath happened to the Quænes Majesties loving subjects as well nobles as other, but also hath been and yet is a great impediment and let to a great multitude of the Quæns highness poore subjects for provision & gathering in of their harbest and other necessarie businesse and livings in that season of the yeare most expedient to be exercised: The Quæns most royall Majestie, having especiall respect as well to the health as to the wealth of her people, by the assent of the Lords spirituall and temporall and the commons in this present Parliament assembled, and by authoritie of the same, ordeyneth, enacteth and establissheth, That in the said Trinitie Term shall be foure common dayes of return onely, and not above (that is to say) the first day of returne shall be called in crastino sancte Trinitatis, the second day of return of the same Terme shall be and be called in Octabis sancte Trinitatis, the third day of return in the said Term shall be and be called in quinquena sancte Trinitatis and the fourth day of return of the same Term shall be and be called

Eng. St: 32
D: cap 21
Trinitie
terme made
shorter

a die sanctæ Trinitatis in tres septimanas And that the same dayes of return shall be obserbed and kept in all our soberaign the Quæns majesties high courts of record, her heyres or successours hereafter to be holden at Dublin or other place or places within this Realm of Ireland at the assignement, appointment or agreement of the Lord Lieutenant, Lord Deputie or other governour or governours of the said Realm for the time being. And that from and after the feast of Saint Michael tharchangel next comming there shall not be nor be called any daies of return in crastino sancti Johannis Baptiste, Octabis sancti Johannis Baptiste, nor quindena sancti Johannis Baptiste: nor any of them. And be it further enacted by authoritie aforesaid, that the said term of holy Trinitie shall yearly for ever from the said feast of Saint Michael the Archangell next comming being the Monday next after Trinitie Sunday whensoever it shall happen to fall for the keeping of the essolnes, proffers, returns and other ceremonies heretofore used and kept in like manner and form as in times past hath been used to be done in the day of return commonly called in octabis sanctæ Trinitatis, & that the full term of the said Trinitie term shall yearly for ever, begin and take his commencement the Friday next after Trinity Sunday in such and like manner and form to all purposes, intents and respects as heretofore hath been used the Wednesday next after the sayd Friday, and that from and after the sayd feast of Saint Michael tharchangell next comming the said second and third dayes of return called octabis sanctæ Trinitatis, and quindena sanctæ Trinitatis shall take their commencement and begin as in times past hath been used, and that the said fourth day called a die sanctæ Trinitatis in tres septimanas, shall take his commencement and begin from the said Trinitie Sunday into three weekes then next following, and shall have his return the fourth day as is accustomed in other like dayes of return. And be it further enacted by the authoritie abovesaid that if after the said feast of Saint Michael tharchangel next comming any writ in any reall action come in or be returnable into any of our said soberaign Lady the Quæns courts, her heyres or successours in Octab. sancti Hillarij, then day shall be given in crastino sanctæ Trinitatis, in decimo quinto sancti Hillarij, in Octabis sanctæ Trinitatis, if in crastino Purificac' beatæ Mariæ, in quind. sanctæ Trinitatis if in Purificac' beatæ Mariæ then a die sanctæ Trinitatis in tres septimanas. And if after the said feast of Saint Michael tharchangel any writ in any reall action come into any of our said soberaign Lady the Quæns courts her heirs or successours returnable in crastino sanctæ Trinitatis, then day shall be given, in crastino animar' if in octabis sanctæ Trinitatis, in crastino sanctæ Martini, if in quinden' sanctæ Trinitatis, in octabis sanctæ Martini, if a die sanctæ Trinitatis in tres septimanas, in quindena sancti Martini. & be it further enacted by authoritie abovesaid, that if after the said feast of Saint Michael tharchangell next comming any writt of dower come into any of our said soberaign Ladie the Quæns courts her heires or successours returnable in quindena Paschæ then day shall be given, in crastino sanctæ Trinitatis, if a die Paschæ in tres septimanas, in octabis sanctæ Trinitatis, if a die Paschæ in unum mensem, in quindena sanctæ Trinitatis, if a die Paschæ in quinque septimanas, or in crastino assentionis Domini, then day shall be given into the day of a die sanctæ Trinitatis in tres septimanas. And if after the feast of Saint Michael the Archangel next comming any writ of dower that come into any of our Soberaign Lady the Quæns Courts of record, in crastino sanctæ Trinitatis, then day shall be given, in quindena sancti Michaelis, and that all and every other writ or writs in any reall action which ought to have day in octabis sancti Michaelis by any order of law or otherwise. That all such writ and writs shall by authoritie aforesaid have day,

in quindena sancti Michaelis, forasmuch as the said in octabis sancti Michaelis hath
never been used within this Realm to be any day of return nor the said
Michaelmas term kept or holden till the said quindena sancti Michaelis, and
if the said writ of Dover come to any of the Queens said courts of
record in .xv. sancte Trinitatis, then to have day à die sancti Michaelis nres septi-
manas, if a die sancte Trinitatis in tres septimanas, then à die sancti Michaelis in unum
mensem or otherwise as is appointed. limited and declared by the statute
of Warlebridge the xii. Chapter, And be it further enacted by au-
thoritie aforesaid, that all common writs and processe aswell person-
all as mixt which shall fortune to be returnable in the sayd Trinitie
tearm shall have and keep the said returnes of crastino sancte Trinitatis, octa-
bis sancte Trinitatis, quindena sancte Trinitatis, & à die sancte Trinitatis in tres septima-
nas, or any of them. Provided alway and is further enacted by autho-
ritie abovesaid, that in such cases and processe as speciall daies having
used to be appointed, assigned or given for returning of writs and
processe, it shall be lawfull for the Justices of every of the Queens said
Courts of record for the time being, in all the processe by them to be
awarded to assigne and appoint speciall days of returns as by their
discretions shall be thought convenient. Provided also and be it fur-
ther enacted by the authoritie abovesaid, that the days in assise of
Darrein presentment and in plea of Quare impedit limited and appointed by
the statute of Warlebridge and also the days to be given in attaint,
limited in the statute made in the first year of the reign of the noble
King Edward the third being not contrarie to the tenour of this Act,
shall be holden firm and stable and shall stand in their full force
and effect.

CAP. III.

An Act intitling the Queens Majestie her heires and successours to
Thomas, Knight of the Valeys lands in Mounster.

Rott, Parl. cap: II.

**Knight of
the Maipen
lands in
Punier
bested in the
King.**

Where Thomas sitz Gerard Knight of Waley otherwise Knight of Glanne in the countie of Limericke within the province of Munster and Thomas his sonne and heire apparant have committed sundry willfull murders, burnings, wast and warlike destructions upon divers the Queens Majesties people within the said province, for which offences Thomas the sonne was executed by order of her graces laws before Sir Thomas Cusack Knight then her Majesties commissioner and other his associates in Munster, and Thomas the father was likewise indicted, arraigned, and found guiltie of and for procuring of his said sonne to commit the said burning, and stayed from execution as in respect of a certain scruple or doubt conceived of the statute which maketh burning to be treason in this Realm, nevertheless forasmuch as it is manifestly known in how wofull and unlawful sort the said Thomas Knight of the valley hath led his life from his youth to this his decreped age, and how necessarie it is that some ensample by his punishing be shewed to the great men of forces in that countrey, we your Majesties subjects humbly besech it may be enacted, and be it therefore enacted, by authoritie of this present Parliament, That our soveraign Lady the Queens majestie her heyres and successours shall have all the Lordships, Mannours, Castles, Meales, Lands, tenements, Rents, Reversions, Services, advowsons of Churches, Woods, Underwoods, Milles, Moores, Meadowes, Pastures, and all other hereditaments, Commodities and profits, whatsoever, with all their rights, members and appurtenances, whereof the said Thomas sitz Gerard commonly called Knight of the valley or Knight

Knight of the Glanne and his said sonne and eyther of them was seyled in their owne right, in fee simple or fee taile, or whereof any person or persons were seyled to the use of them or any of them and their heyres in fee simple or fee taile, any time sithence the day of the said treason supposed to be committed by the said sonne. Saving to all and every other person and persons bodies politique & corporate their heyres and successours, the heires and successours of eyther of them, other than the heyres of the same Thomas and the heires of his sayd sonne, and other than all and every other person and persons clayming to the use of the said Thomas and his heyres, or the heyres male or generall of his body, or to the use of his said sonne and his heires, or to the use of the heires male or generall of the said sonne his body, and other than all such as claim the eschete of any of the said lands, all such right, title, interest, possession and lawfull entree into the premisses as they or any of them should have had before the making of this Act: this present Act or any article, clause, matter thing or things in the same to the contrarie in any wise notwithstanding.

CAP. IV.

An Act for the preservation of Salmon fric & Ele fric. Rot. Pari. cap. 13.

FOrasmuch as great hurt and hindrance doeth daily grow to the Quæns Majesties Subjects within this Realm by reason that the inhabitants of diverse Cities and towns within this same adjoyning neere to rivers that doth ebbe and flow, wherein the frye of Salmon, Ele and other commodious fishes are bred and nourished, doth keep great herds and number of Swine, and also doth use at the ebbe or low water, to suffer their said Swine to feed upon the Strands of the said rivers, where they destroy great quantitie of Salmon and Ele frye & fry of Spaune of divers other good fishes, to the great hurt & hinderance of fishing, and to the great hinderance and damage of the common-wealth. Be it therefore enacted by the authoritie of this present Parliament, That from the fifth day of March to the last day of September yearly, no person nor persons by himself or by his or their appointment shall drive or put any Swine, Hogge or Pigge upon any strand of any river or rivers within this Realm to be fedd or pastured thereupon in any place where the Sea doth ebbe or flow within the said river or rivers nor in any other place or places where the Sea doth usually ebbe and flow, nor that no person or persons doe permit or suffer their said Swine to go or to be set to feed upon anie strand within this Realm as farre as the Sea doth use to ebbe and flow, upon paine of forfeiture of the same Swine, Hogges or Pigges and every of them, to such person or persons as shall or will seise upon the same hogge, swine, pygges or any of them, the one halfe thereof to be always reserved and answered unto the Quæns Majestie her heyres and successours, and the other halfe to be to the partie that shall seise on the same: and if any person or persons shall withstand or resist any so seising, the said Swine, Hogges, Pigges or any one of them, that the partie so doing shall be used as a rescuffer, and that upon presentment thereof made in any of the Quæns Ordinary courts, or at any Sessions to be holden within this Realm, and in any court of privileged Citie, or Borough having jurisdiction to inquire or receive presentments, like procelle shall be made upon such presentment as upon presentment of rescous, of distresse for rent at the common Law, and the parties thereupon convict shall be committed unto the ordinary Gaol of that court where he is convicted untill he make

Preferbati
on of sal-
mon and
Ele fric.

Forfeiture
of the swine
that feed on
the strand
where the
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flows.

fine to the Queen her heyres or successours for the said rescous as shall be appointed by the court where such condemnation is to be had, and untill he or they pay to the Queen and seysor of the said hogges, swine pygges, or any of them the value and price of the swine so rescued, the value to be appointed by the Judges before whom such matter shall be proponed and adjudged, and such condemnation thereupon to be made or had as aforesaid: saving always to all and singular bodies politique and corporate and all Lords spirituall and temporall the moitie of the forfeitures, fines and penalties to grow by this Act for any offence or offences to be committed against the tenour hereof, in as large and ample manner as they have or ought to have other forfeitures, fines and penalties by the tenours of their severall Charters, and the other moitie to be unto the seisor or seisors of such swine, hogges pygges, or any of them as aforesaid.

CAP. V.

An Act against laying Hemp, Flax, and lymed hydes in any fresh Waters or Rivers Rom^o Parl^o cap. 15.

that no flay
hemp
or lymed
hydes shall
be layed in
fresh water

PRayen the commons in this present Parliament assembled, that where divers persons in this Realm, rather respecting their private ease than the common utilitie and profit, as being carelesse of the Common-wealth, doe in season of the year, lay into Rivers, streams, brookes, and other fresh running waters their Hemp and Flax to be watred, keeping the same there long time. And also Tanners and others doe lay likewise in the same waters hydes with lyme bound up in them, by reason whereof the waters are so infected as the fishes therein doe die, such as are forced to drink thereof as well Man as beast are poisoned, and meates or drinckes made therewith are perillously corrupted to the great danger of Man and Beast, and that hitherto no punishment have been provided for the correction of this pernicious disorder: That it therefore be enacted and established by the Queen our soveraign Lady, the Lords spirituall and temporall and the commons in this present Parliament assembled and by the authoritie of the same that no manner of person or persons of what degree or condition soever he or she be, shall from and after the Proclamation of this act be made, lay into any river, stream, brooke or other fresh running water any Hemp or Flax or any hydes bound as aforesaid to be watred and seasoned upon pain to lose and forfeit Hemp, Flax, and Hyde or hydes so layd as afore, contrarie to this Act, or of the treble value of the same, the one halfe of which forfeiture to be to the Queen our Soberaign Lady, her heires and successours, and the other halfe to such as shall find or present the default, and such as shall be intituled to the said forfeiture shall have an Action of debt or detinue for the same by writ, bill, plaint or information in any of the Queens Courts, in which Action or suit no essoine, protection, priviledge nor wager of Law shall be allowed or admitted. And be it enacted that the Justices of the Peace in everie Shire, Citie and Towne corporate within limites of their Commission and authorities shall have power and authoritie to inquire, hear, and determine everie offence hereafter to be done or committed contrarie to this Act as well by information, as by presentment afore them and to make such processe upon every presentment as they commonly doe upon endictments of trespass. Provided alway that this Act or any thing therein contained, be not in any wise hurtfull or prejudiciall to any Lord or Lords, or any other or others bodies politique or incorporate, having liberty or liberties, or any of them their heires or successours, for or concerning any of the forfeitures

forfeitures expressed in this Act, but that they and every of them shall have, perceive, and receive the forfeitures that shall happen to be forfeited by the penalties herein expressed, in the same sort, manner and form as they & every of them had or might have had, other forfeitures and penalties by their severall Charters, liberties, graunts and titles falling or chauncing within their severall authorities, franchises, and jurisdictions afore the making of this present Act: This Act or any thing in the same mentioned to the contrary notwithstanding. And to the intent that every person may have knowledge of this Act, and avoid the dangers and penalties of the same, be it enacted by the authoritie aforesaid, that all Mayors, Baylives, Sheriffes, and all other head officers shall foure times in the year, that is to say everie quarter once, make open Proclamation of this present Act in every market to be holden within their severall jurisdictions and authorities. And also that the Justices of gaol deliverie, assises, and Justices of Peace doe cause the same to be proclaimed in their severall circuits and sessions before them holden.

C A P. VI.

An Act authorising the governour for ten years to come to present to the dignities of Mounster and Connaght. *Rott Parl. cap. 16.*

VV Here the right honourable Sir Henry Sidney Knight of the honourable order, now Lord deputie of Ireland, hath in his late progresse into Mounster and Connaght found amongst other experiences, the great abuse of the Clergie there, in admitting of unworthy personages to Ecclesiasticall dignities, which hath neyther lawfullness of byrth, learning, English habit, or English language, but discended of unchaste and unmarried Abbots, Priors, Deans, Chauntors, and such like, getting into the said dignities, either with force, symonie, friendship, or other corrupt meanes, to the great overthrow of Gods holy Church, and the evill ensample of all honest congregations: Be it therefore enacted by authoritie of this present Parliament, That no person or persons be from henceforth admitted or received to be Dean, Chauntor, Chauncelloz, Thesaurer or Archdeacon of any Cathedral Church within Mounster and Connaght, (the Cathedral Churches of Waterford, Limerike, Corke, and Casthell only excepted) but onely by the presentation & nomination of the Lord Deputy or other governour of this Realm for the time being, during the time & space of ten years next ensuing. Provided always, that no person or persons so to be nominated & presented by the said Lord Deputy or governour for the time being, to any of the dignities aforesaid, shall be able to take any of the said dignities, except he or they be within Orders, of full age, can read and speak the English tongue, and shall reside upon the same dignities. Exp:

that the governour of the Realm for ten years time shall present to the dignitie of Mounster & Conaght.

C A P. VII.

An Act for taking away Captainships, and all exactions belonging thereunto from the Lords & great men of this Realm. *Rott Parl. c. 17.*

VV Here most gracious soveraign Lady the Lords and chief-teins of this your Majesties Realm hath in the time of Justice declination by pretext of defending your Majesties people, and their owne possessions arrogated unto themselves absolute and regall authorities within large circuites by the distribution whereof each man had as much right as force will give him leave. And the said Lords and chieftains in drawing to them of all other inferiour states to be of their severall factions, fel to such strife for greatnesse of rule & government as thereby the fear, obedience

Captaine-ships, & all exactions belonging thereunto are taken away

and attendance of your Majesties subjects withall, that might be by law acquired to your Imperial crowne in their regiment, was wholly converted from you to them, and yet they in not so good state of life, both for honour and revenue as their ancestors have been before that time as appeareth by the ancient records and monuments of this Realm. For remedy whereof your said faithfull subjects, the commons of this Realm most humbly beseecheth, it may be enacted by your Majestie, with the assent of the Lords spirituall and temporall, and the commons of this present Parliament assembled, and by the authoritie of the same, that no Earl, Viscount, Baron, Lord, or pretended Captain dwelling within any the shire ground of this Realm, or any of their servants or men, shall from henceforth assume claym, challenge, use or take upon him or them the authoritie or name of Captain or rule of any countrey, cantrede or territorie, being now shire ground or hereafter to be made shire ground, except such as hath or shall have the same, by Letters patents from your Majesty, or your noble Progenitors or from your heires or successours, nor shall as a Captain, or by the name, colour, or custome, or authoritie of Captainship, or otherwise take or exact for the finding of him or them their Horsesmen, Footemen, Galloglasses, Keern, Hagbutters, Horses, Horseboyes, Huntres, Stodekeepers, Officers, or adherents of, or upon any your Majesties Subjects, any kind of Exaction, Impositions, Tarations, Cesses or Subsidies of what nature, qualitie, or condition soever they bee. Nor shall call as Captain, gather or assemble together the people of any the said pretended countries rules and Captainships to treat, conclude or agree for making of warre or peace roades, journeyes, granting of Cesses, benevolences, finding of men of warre or otherwise, nor shall as a Captain lead the said people to do any Act or Acts offensive or invasive without speciall authoritie under the great Seal of this Realm, or warrant in writing from the Lord Deputie, governour, or governours of the same Realm for the time being, upon pain to every Earl, Viscount, Barron, or Lord of this Realm, that shall offend in doing and committing any thing or things contrarie to the prohibition of this Statute, for every time that he shall so offend of one hundred pounds lawfull money of Ireland. And to every pretended Captain, or other person and persons under the degree of a Baron or Barre of this Realm, that shall offend as aforesaid, for every time that he shall so offend of one hundred markes lawfull money of Ireland: the two parts of which forfeitures to be to the Queen our soveraign Lady her heyres and successours, and the third part to such as shall present the same offence. And such as shall be entituled to the said forfeitures, shall have and action of debt for the same by writ bill plaint, or information in any of the Queens courts, in which action or suit no essoine, protection, priviledge, nor wager of law shall be allowed or admitted. Provided alway that this Act or any thing therein conteyned shall not extend nor be construed to restrain pursuit for goods taken, so the same pursuit be made within seven dayes after the goods so taken.

CAP. VIII.

An Act that there be no bill certified into England for the repeal or suspending of the Statute past in *Poyning's* time, before the same bill be first agreed on in a session of a Parliament holden in this Realm by the greater number of the Lords and Commons.

Rot. Parl. ca. 18.

Bill to be
certified in-
to England
for the use

V Here upon experiment of the right honourable Sir Henry Sydney Knight of the noble order of the garter, Lord President of Wales, and Lord Deputie of this your majesties Realm of Ireland.

Ireland, his great travail and care for the advancement of the glory of God, your Majesties honour & the utilitie of the Commonwealth of this your highnesse Realm, and an undoubted hope that his Lordship would not seeke the passing of an Act, but such as should tend to the furtherance of your Majesties service, and benefite of your highnesse Realm. Wee your Majesties subjects assembled in Parliament assented to the repeal of a Statute passed before Sir Edward Poyninges Lord Deputie of Ireland, prohibiting eyther any Parliament to be summoned, or any Act to be treated of in Parliament before the Acts were certified under the great seal of this your Majesties Realm & returned hither under the broad seal of England, before which statute, when libertie was given to the governours under your Majesties progenitors to call Parliament at their pleasure, Acts passed as well to the dishonour of the Prince, as to the hinderance of their subjects: the remembrance whereof would in deed have stayed us from condiscending to the repeal of the said statute, were it not that the government of your Majesties Deputie hath been alway, and continueth such as to all your highnesse subjects giveth just cause to reckon what proceedeth through his motion to your highnesse to be ment onely for the honour of your Majestie, and the common benefite of this your Realm, and therefore as we mought safely, so did we willingly agree to the repeal of the said statute, but most gracious soveraign, fearing that some governours hereafter should hap not to make answer unto the expectation of your Majestie or your highnesse heyres and successors by whom hee should be appointed governour and not following the example of your highnesse Deputy at these presents, will upon affection or some other respect, abuse the like libertie given him. Wee your Majesties subjects now assembled in Parliament do most humbly beseech your highnesse that it may please the same, that it may be enacted. And be it enacted, ordained and established by your Majestie with the assent of the Lords spirituall and temporall, and the commons in this present Parliament assembled, and by the authoritie of the same That hereafter in the government of any other deputie or governour of this your Majesties Realm there be no bill certified into England for the repeal or suspending of the said statute passed when Sir Edward Poyninges was Lord Deputie of Ireland before the same bill be first agreed on in a Session of Parliament to bee holden within this Realm, by the more number of the Lords assembled in Parliament and the greater number of the common-house. And if there be that any Act passed or to be passed thereupon touching the repeal or suspending of the said statute passed in Sir Edward Poyninges government to be utterly void, and of no effect to all purposes and intents.

C A P. IX.

An Act turning of Countries that be not yet shire ground
into shire grounds. Rot. Parl. cap. 19.

VV Here divers and sundrie robberies, murders, felonies, and other haynous offences bee daily committed and done within the sundrie countries, territories, cantredes, Townes and Villages of the Realm being no shire ground, to the great losse both of the Queens Majesties, and of divers and sundrie her highnesse true subjects of this Realm, and to the boldening and incouraging of many offendours by reason of the same Countries, Territories, Cantredes, Townes, and Villages bee not made shire grounds, for remedie whereof and to the intent that her Majesties Lawes may have free course in and through out this whole Realm of Ireland, It is enacted

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Lords and
commons.

Ir. 11. 10. p.
7. cap. 4.
Ir. 11. 11. Cl.
cap. 1.

Countries
that are not
shire
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be made
shire
grounds,

Ir. 11. 3. 4.
12. 11. 1.
cap. 3.

enacted by our Sovereign Ladie the Queens Majestie with the assent of the Lords spirituall and temporall, and the commons in this present Parliament assembled, and by the authoritie of the same, That after the prorogation or dissolution of this present Parliament, the Lord Chancellour or keeper of the great Seal of this Realm for the time being, shall have full power and authoritie by vertue of this Act, to award and direct the Queens Majesties, her heires and successours commission or severall commissions under her or their great Seal of this Realm from time to time, to such number of persons as shall bee warrant under the Lord Deputie, governour or governours of this Realm his hand for the time being bee thought most convenient and meet, giving thereby full power and authoritie to the said Commissioners by authoritie of the said Commission or severall commissions to view, survey, and make inquirie aswell of all the Countries, Territories, Cantreds, Townes and Villages of this Realm now being no shire ground, or of any part or portion of the same as also of all such Territories, portions of Lands, Cantreds, or Hundreds, as are in shire ground, and doubtfull of what shire they are parcell, or of any part or portion of the same. And upon view, survey, and inquiry, to limit, make, nominate, divide, joyn, adde, or sever, by certain limits and bounds, the same Countries, Territories, Cantreds Portions of Lands, Hundreds, Townes and Villages, and every or any part or portion of the same, into such, and as many severall Counties Shires, and Hundreds, and or with any Shire or shires, countie or Hundred, already Shire ground, as to the said Commissioners shall bee thought most meet and convenient. And after that they have made such survey, inquirie and division of the said Counties, Shires, Territories, Cantreds, Portions of Land, Hundreds, Townes, and Villages as is aforesaid the said Commissioners shall certifie the same unto the said Lord Deputie, governour or governours of this Realm for the time being, who liking the said certificate, shall under his or their hand & Seal, and under the hands and Seals of the said Commissioners return & certifie their doings therein together, with the said Commission or Commissions into the high Court of Chancery of this Realm before such feast or time as by the said Commission, or Commissions shall be to them limited & appointed to the intent the same may there remain of record. And be it enacted by authoritie of this present Parliament, that the same certificate so made shall be of the same force and effect to all intents, as if every thing therein contayned were done and made by Act of Parliament. And that in every of the said shires so newly to be made and certified there shall be a shiriffe, coroners, escheator, clerke of the market, Justice of peace, and of Gaol delivery, chief sergeant and other officers and ministers, according as in other shires have been, or is used and accustomed. Provided alway and be it enacted by authoritie aforesaid, that this Act or any thing therein contained shall not extend to be construed to abridg or take away any part or parcell of the liberties of Tipperarie or Kerie, or of any of them but that the Lords of the said liberties and every of them may and shall have and enjoy their said liberties, throughout the said whole shires of Tipperarie and Kerie according to their severall graunts severally made unto them of the same liberties. This Act or any thing therein contayned to the contrary notwithstanding. Provided also and be it enacted by the said authoritie, that this Act nor any thing therein contayned, shall not extend or be construed to be prejudiciall or hurtfull to the Archbishop of Armagh or his successour, the Archbishop of

Dublin or his successours, or to any any other Lord or Lords spirituall or temporall, or to any other person or persons, bodies politique or corporate their heires or successours or the heires or successours of any of them for any franchises or liberties granted unto them or any of them by letters patents from the Queens Majestie, or any her most noble progenitors or predecessours, but that they and every of them may and shall have and enjoy their severall titles and franchises, according to the tenours of their severall grants. This Act or any thing therein containd to the contrarie notwithstanding,

C A p. X.

An Act for the staying of Wooll, Flockes, Tallow, and other necessities within this Realm. Rot^h. parl^l. cap. 20.

For that that divers the commodities of this Realm are caried and transported out of the same by sundrie privat covetouse persons to the great hurt and danger therof. And also for that such persons use as well by stealing, as by open conveying of the same, aswell by licence as without licence to answer small or no custom at all for them, whereby the Queens Majesties customes & revenues are greatly lessened & diminished within this Realm. And to the intent also that the Queens Majesties customes and revenues might be increased and augmented, and that the said commodities might bee more abundantly wrought within this Realm ere they shall be transported then presently they are, which shall set many now living idle on work, to the great reliefe and commoditie of this Realm. And also to the end that English artificers of the Realm of England, may be by the abundance of the said commodities within this Realm allured to come into the same to work them within this Realm, and thereby to give ensample to others to use that trade to the great commoditie and profit of this Realm. For remedie whereof at the humble petition of the whole commons of this Realm, Be it enacted by our soveraigne Lady the Queens highnesse by assent of the Lords spirituall, and temporall, and the commons in this present Parliament assembled, and by authoritie of the same, that whatsoever person or persons shall from or after the last day of September which shall be in the year of our Lord God 1569. put, carrie or load into any Ship, Bark, Pickard, Boat, or Vessell, any Wooll, flockes, flaxe, Linnen fyarn, woollen yarne, Sheepefell, Calfe-fell, Goatfell, redd Deerfell, or Fallow deerfell unwrought, Beaf, Tallow, Ware, or Butter, to the intent to carrie the same out of this Realm, shall pay for the same to the Queens Majestie, her heires and successours for custome of the same, as hereafter ensueth, videlicet for every such stone of wooll and flockes, five shillings sterling, and for every such pound of flaxe, Linnen yarn, and woollen yarn twelve pence sterling, and for everie such sheepefell, calfe-fell, and goat-fell foure pence sterling, and for every red deerfell, two shillings six pence sterling, and for every fallow deerfell twentie pence sterling, and for every such pound of Beaf uncasked, or put in any other vessell than is conteyned in this Act a penny sterling, and for every such firken of Beaf five shillings sterling, and for every such halfe barrell of Beaf ten shillings sterling, and for every such barrell of Beaf twentie shillings sterling, and for every such hogshed of Beaf fortie shillings sterling, and for every such pype of Beaf four pounds sterling, and for every such stone of tallow two shillings sterling, for everie such pound of ware twelve pence sterling, and for every such pound of Butter six pence sterling. And shall also pay by way of custome unto every such Citie or Town corporate, from whence the aforesaid wares, virtuales,

It is 13
It is 2.
It is 28
It is 17
It is 13
cap. 4.
that wooll
flaxe &
tallow
shall not be
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and

the Custom
to be paid.

and other things before mentioned are to bee transported, imbarked, and carried away as aforesaid, to the use of the said Citie or corporate Towne and Corporation of the same, the custome also ensuing that is to say, for every such stone of woolle and flockes foure shillings currant money of England, and for every such pound of flaxe, linnen yarn and woollen yarne eight pence currant money of England, and for every such sheepfell, Calfevell, and Goatfell, three pence currant money of England, and for every such red deerfell twentie pence currant money of England, and for every such fallow deerfell eighteen pence currant money of England, and for every such pound of Beef uncasked, or put in any other vessell than is conteyned in this Act one penny currant money of England, and for every such firkin of Beef foure shillings currant money of England, and for every such halfe barrell of Beef sixe shillings eight pence currant money of England, and for every such barrell of Beef thirteene shillings four pence currant money of England, and for every such huoshed of Beef sixe and twentie shillings eight pence currant money of England, and for every such pipe of Beef three pound currant money of England, and for every such stone of tallow eightene pence currant money of England, and for every such pound of ware sixe pence sterling, and for every such pound of Butter four pence currant money of England, and shall also forfeit for every such stone of wooll or flockes fide shillings sterling, and for every such pound of flaxe, linnen yarn, and wollen yarn twelue pence sterling, and for every such sheepfell, calfevell and goatfell foure pence sterling, and for every redde deerfell two shillings and sixe pence sterling, and for every fallow deerfell twentie pence sterling, and for every such pound of Beef a penny sterling, and for every such firkin of Beef fide shillings sterling, and for every such halfe barrell of Beef, ten shillings sterling, and for every such barrell of Beef twentie shillings sterling, and for every such hogshed of Beef fortie shillings sterling, and for every such pype of Beef foure pound sterling, and for every such stone of Tallow two shillings sterling, and for every such pound of ware twelue pence sterling, and for every such pound of Butter sixe pence sterling, every such forfeiture to be to him or them that wil sue therefore by action of debt, by writ at the common law, or plaint in any court of Record within this said Realm, or by information in the Queens Exchequer within this said Realm, in which action the defendant shall not wage his law, ne none essoine nor protection shall be allowable for the defendant or defendants. And be it further enacted by authoritie aforesaid, that if the owner, purser, or any other officer or master of any shipp, Barque, Pyckard, Boat, or other vessell in which any wooll flockes, flaxe, Linnen Yarn, wollen Yarn, sheepfell, calfevell, goatfell, redde Deerfell or fallow Deerfell unwrought, Beefe fallow, ware or butter shall be imbarqued or put, doe permit or suffer from the last day of September next coming any person or persons to imbarque or put aboard or bring into any his the owners shipp, barque, pyckard, boat or other his the owners vessell any parcell or parcells of the premises before the Queens Majestie her heyres or successours is custome for the same be truly answered and payed in this Realm, and before payment and satisfaction of the custome and customes aforesaid, due unto the said Citie or corporate towne and corporation aforesaid, as in this Act before is alleaged, that then every such shipp, Barque, Pyckard, Boat or other vessell shall

shall be forfeited the one halfe of the same to our Soberaigne Lady the Queens Majestie her heyres and successours, and the other halfe to such person or persons as shall present or informe the same before the Barons of the Exchequer for the time being, in the said Realm, and that within twelue weekes next after the said forfeiture. And it is further enacted by authoritie aforesaid, that the Searchour, his deputie, factour or atturney of any Port, haven, or creek within this Realm where any such Wool, flockes, flaxe, Linnen Yarn, Woollen yarn, Sheepfell, Calfevell or goatfell, red Derefell and fallow Derefell untwrought, Beef, tallow, Ware or Butter, shall after the said first day of September next comming, bee put, carried or loaden into any ship, barke, pykard, boate or other vessell knowing the same to bee so put, carried or loaden, will conseale the same by the space of footeene weekes next after the same bee put or loaden in any shipp, barque, pykard, boate or other vessell without information thereof to the Barons of the Exchequer of this Realm for the time being, that the same concealment in the Searcher, his deputie, factor, or other atturney and every of them that so will conceal the same putting, carrying, or loading of any the premisles shall be adjudged and deemed felony, for which they shall suffer pains of death and forfeiture of goods onely. Provided that this Act extend not to any Lord or Prelate, or any of the Queens Majesties privie Councell to take flocke bedes, under the weight of three stone with them to use for their ease in their passage. Provided that this Act extend not to the Master, owner or victualler of any ship, barque or any other vessell for shipping or transporting reasonable Beef and butter for their reasonable victualling of him and the company in the said ship, barque, or other vessell for their present voyage from this Realm. Provided also that any offence committed or don contrarie to the tenour of this Act (the customes aforesaid onely excepted) be enforced and enquired of within nine moneths after the said offence done or committed. otherwise the parties so offending not to incurre the penalty limited in this act concerning the said offences the matters of felony to be onely enquired of in the Queens bench and the bench of her Majesties heyres and successours, and there heard and determined, or before such persons Justices of Gaol delivery as hereafter shall have authoritie by Letters pattents under the great seal of this Realm, to enquire, heare and determine causes of felony according to the course of the common lawes of this Realm.

Concealment by the Searcher & felony

where and when offenders shall be heard.

Stat^s, Ordination^s & Act^s in Parlamento predicto apud Dublin prædⁱ die Lunæ prox. post festum sancti Francisci confessⁱ. v. x. die Anno undecimo Regni Regine prædⁱ coram prælato deputato similiter tento ædit^r in hæc verba.

CAP. XI.

An Act giving order for bringing in of Wines into this Realm, where they shall be discharged, who shall rate the prices of them, and also for graunt of a custome out of the same Wines. Rot^m Parl. cap. 27.

The Lords Spirituall and temporall and the commons in this present Parliament assembled, considering with no small grief of mind the great lack of a Ravier in this Realm, which is occasioned by the sluggish, idleness and untowardness of the Merchants and Traffickers thereof, & how by that default this Realm, is brought to be of no abilitie or strength to defend it self against the enemies, pyrats and robbers that doe accustomedly annoy the same; and also advisedly calling to memorie divers intollerable enormities that have followed

importation of wines their prices Customs and places of discharge the mischief.

followed of the disordered trade of aliens to creeks and un haunted Ports and places of this Realm, leaving the chief and principall Cities, Boroughs, Townes and Ports of defence, whereby the same Realm, hath ever been, & presently is chiefly upholden, stayed & maintained to the great losse of the Queens Majesties customs due of their charge and loading, for lack of order in such places for the receipt thereof, understanding also the pitifull and rufull minishing of the Queens Majesties revenues in this Realm together with the innumerable charges that her highnesse hath been and daily is at, by exhauſting her Princely treasure for the defence and good reduction to civilitie of this Realm, and weying by long experience how that by the superfluous abundance of Wines that are yearly discharged within this Realm grievous decay of tyllage and husbandrie, idleness the mother of all vices, rage and fury in the minds of the disordered people & other monstrous enormities have been perniciously bread and nourished besides the great spoyle of Subjects goods that hath followed by reason that no provision hath been hitherto made for the seal of the same Wines that are so conveyed and brought into this Realm, all which soares and mischiefs doe require present help, remedie and due reformation to bee had with good prudent and carefull provision and foresight: In consideration whereof the said Lords Spirituall and Temporall and the Commons in this present Parliament assembled most humbly beseechen the Queens most Royal Majestie, that it may bee enacted by her highness and by the assent of the Lords Spirituall and Temporall and the Commons in this present Parliament assembled, and by authoritie of the same, that no manner person of what degree or condition that he be being subject, Denizen or Alien shall discharge any maner Wines within this Realm of Ireland, but onely within the Havens and Ports of the Cities, Townes and places hereafter mentioned, ^{Videlicet,} the Cities of Dublin, Waterford, Corke and Limericke, the Townes and places of Drogheda, Galway, Poghall, Carrigfergus, Wierford, Rosse in the Countie of Wierford, Kingsale, Dongarban, Dundolke, Carlingford, Slygo, and Dingle Husey, otherwise called Dingle-Isouth, and in no other Creek, Port, Haven, road or place within this Realm of Ireland without the speciall licence of the Queens Majestie her heires or successours or of the Lord Deputie or other governour or governours of this Realm for the time being, to be given and made in that behalf upon paine to forfeit the same Wines so discharged contrarie to this Act, and without licence as before is specified, the one halfe thereof to the Queens Majestie her heyres and successours, and the other halfe to him or them that shall seise the same Wine. Provided alwayes that this article, braunch or clause of this Act shall not extend to any Ship or Ships having any such Wines that shall be constrained by tempest of Weather or enemies to arrive or discharge in any other Port or place within this Realm then is before appointed or that hereafter shall by licence as afore is said be appointed or warranted, so that the owners of the said Wines, or any of them, or to their use make thereof no sale within this Realm other than for victuales, or repairing of the same Ship or Ships, or calcking thereof which they of necessitie be compelled to make. And be it further enacted and established by the authoritie aforesaid, both for the better increase, and augmentation of her Majesties revenues in this Realm, and also to stay the said superfluitie of Wines conveyed, that her highnesse her heyres and successours shall have and receive as a Custome or Subsidie of every Tun of Spanish or Levant Wines that shall be brought into this Realm.

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to have
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Realm by way of merchandise in any Ship or Ships or other
 Vessel whereof our said Sovereign Ladie or any of her highnesse loyal
 & naturall Subjects shall bee at the time of such conveyance and bring-
 ing into this Realm, verie and true owner possessor and proprietor
 without cobin, deceit, craft, or collusion the summe of forty shillings
 lawfull money of Ireland, and of every Tunne of Wine growen in
 Fraunce, Guyen, Gascoigne or Rochell, that shall come into this
 Realm by way of merchandise by any person in any Ship or Ships
 or other vessel whereof our said Sovereign Ladie or any of her high-
 nesse loyal and naturall Subjects shall bee at time of such conveyance
 and bringing into this Realm, verie and true owner possessor and pro-
 prietarie without Cobin, deceit, craft, or collusion, the summe of
 twenty five shillings eight pence, lawfull money of Ireland, and of
 every tunne of Spanish or Levant Wines that shall be brought into
 this Realm by way of merchandise by any person in any Ship or
 Ships or other vessel whereof our said Sovereign Ladie, or any
 of her highnesse loyal and naturall Subjects shall not be at any time
 of such conveyance and bringing into this Realm verie & true owner
 possessor and proprietor without cobin, deceit, craft or collusion
 the summe of four Markes lawfull money of Ireland, and of every
 Tunne of Wines growen in Fraunce, Guyen, Gascoigne, or Rochell
 that shall come into this Realm by way of merchandise being brought
 by any person in any Ship or Ships or other vessel whereof our
 said Sovereign Lady, or any of her highnesse loyal and naturall Sub-
 jects shall not bee at time of such conveyance and bringing into this
 Realm verie and true owner, possessor and proprietor without
 Cobin, Deceit, Craft or Collusion the sum of forty shillings law-
 full money of Ireland, to be levied, taken and perceived by the Cu-
 stomers Collectors, and other her highnesse Officers for receiving of
 Custom in the Portes, Havens or other places above limited or here-
 after to be appointed for discharge in manner before recited by this
 Act. And be it further enacted by the authoritie aforesaid, that if any
 Wines whereof the Customes or Subsidies aforesaid, or any of them
 shall hereafter be due by the Tenour of this Act shall at any time
 hereafter be discharged and layed on Land, the Customes or Subsidies
 aforesaid of the premises due by this Act not payed, or the Collector
 of the same Customes or Subsidies or his deputie with and by the con-
 sent knowledg and agreement of the Controller and Surbeyour, or
 one of them at the least not agreed with for the same in the Custom
 house according to the true meaning and intent of this Act.
 That then all the said Wines and every part and parcell thereof so lay-
 ed on land, and discharged shall be and remain forfeit to her
 Majesty her heires and successours, the one moyetie or value thereof to her
 highnesse her heires and successours, and the other moyetie to him or
 them that shall seise the same or sue therefore in manner aforesaid, in
 which suit no wager of law effoigne or protection shall be admitted or
 allowed. Provided always and be it enacted by the said authoritie
 that the Lord Deputy or other governour or governours of this
 Realm for the time being, shall have yearly for the provision and store
 of his or their house of such Wines as shall be brought and conveyed
 by way of merchandise into this Realm the number of twenty Tunnes
 free and discharged of the Custom or Subsidie graunted by this Act,
 and that the said Lord Deputy or other governour or governours of
 this Realm for the time being, shall also by the said authoritie have
 full power to grant, limit and appoint unto every Part of this Realm,

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and unto ebery of the Privie Councell in the same at his or their discretion from time to time such portion and quantitie of Wines to be free and discharged, of and from the said Custome or Subsidie as he shall think to be meet and competent for ebery of them after their degrees and callings to have, any thing in this Act contained to the contrary notwithstanding. And for the better order to be henceforth observed and kept in the Sale of wines by retayl or ingrosse within this Realm. Be it enacted by the authoritie of this present Parliament that the Lord Deputy or other governour or governours of this Realm for the time being, the Lord Chauncelloz or keeper of the great Seal of this Realm, the two chiefe Justices of either bench in this Realm, the Chauncelloz and cheife Baron of the exchequer of this Realm for the time being, or five, foure, or three of them whereof the Lord Deputie or other governour or governours or the Lord Chauncelloz or keeper of the great Seal of this Realm for the time being, to be always one shall have power & authoritie by their discretions, to set & rate yearly the prices of all kind of Wines, that is to say, the prices of the Tunne, Butte, Pipe, Hogshed, Punccheon, Tierce or Rundlets, when it shall be sold in grosse, & also to set and rate yearly the prices of Wines hereafter to be sold by retayl any time within the Hilary term, and at no other time or times of the year, so that they or any of them cause the prices by them set and rated to be written, and open Proclamation thereof to be made in the Quæns Court of Chauncerie of this Realm openly in the term time, and in the Citie Borough, towne or place where any such wines shall be sold in grosse or by retails. And it is further enacted by the said authoritie, that if any person or persons after such prices shall be set and put in writing by the said Lord Deputie or other governour or governours, Lord Chauncelloz or keeper of the great Seale, the two chief Justices, the Chauncelloz and cheif Baron of the Exchequer or by five, foure, or three of them, and Proclamation thereof made as is aforesaid, doe sell any Wines in grosse, or by retayl, by any fraud or cobin contrarie to the said prices so setten and Proclaymed, that then ebery offendour in that behalf shall lose and forfeit for ebery time that he shall so offend the double value of the Wines so sold contrarie to the said prices, the one half of all which forfeitures to be to the Quæn our Soberaign Ladie and the other half thereof if it be within any Citie, Borough, or Towne corporate to be to the Mayors, Shiriffes, Bayliffes or other head rulers of such Citie, Borough or Towne corporate to the use of the corporation, and if it be without Citie, Borough or Town corporate then to be to such of the Quæns subjects as will sue for the same, and that ebery such forfeiture shall be recovered by originall writ, of dept, bill plaint or information, in which sute no wager of law shall be admitted nor any protection or elloine allowed. And it is also enacted, that the Justices of peace in ebery shire of this Realm, and all Mayors, Bayliffes and other head officers in cities, boroughes and corporate townes that is to say, ebery of them within the limits of their commissions and authorities, aswell, within franchises as without shall have power and authoritie to examine, hear, enquire and determine the defaults of such as shall attempt to do any thing contrary to the tenour of this Act, or to any the ieverall articles or branches of the same, and to punish the offendours as the statute doth appoint and prescribe, Provided alwayes, and be it enacted by authoritie aforesaid, that this Act nor any thing therein containd shall not extend to charge any person or persons with any penaltie or forfeiture for and concerning any offence

offence to be done contrarie to the tenour of this Act, or of any the severall articles or braunches of the same, unlesse he or they so offending be sued, indicted, impeached or presented for the same within one quarter of a year next after the same offence shall be done and committed as is aforesaid: any thing in this Act contayned to the contrary notwithstanding. ^{when made} Provided alway, that this Act shall not be of force and effect before that the same shall be solemnly proclaimed by the Quæns writ within the cities of Dublin, Waterford, Cork and Limerick, and within the towines of Drogheda, Galway, and Poughall, and that immediately from and after the same proclamations ^{when made} made as aforesaid, this Act and every braunch, article and provision thereof shall be of full force, effect and strength to all intents and purposes during, and for the space, terme & time of ten years then next and immediately following fully to be compleat & ended, & for no longer time. ^{to continue for ten years} Provided also that this Act shall not extend to any person or persons that shall buy or cause to be bought any Wines in any the havens, Ports or places before in this Act appointed for discharge, or hereafter by licence or graunt to be appointed in manner and order before said, but that the same persons their servants and Agents, shall and may convey the Wines so bought, by water and by land to his and their house or dwelling place and places within this Realm: any thing in this Act conteyned to the contrary notwithstanding.

CAP. XII.

An Act for restoring the Earl of Kildare his brother and sisters to their blood. *Rois Parl cap. 23.*

In humble wise sheweth unto your highnesse your faithfull and humble Subjects Gerald Fitz Gerald now Earl of Kildare, Edward Fitz Gerald brother to the said Earl, Margaret, Elizabeth, and Cicile sisters to the said Earl, whereas at a Parliament holden at Dublin the eight and twentieth year of the reigne of your noble father King Henry the eighth, before the Lord Leonard Gray then Lord Deputy of this Realm, it was enacted, that Gerald Fitz Gerald deceased late Earl of Kildare, father to your suppliants, and Thomas Fitz Gerald son and heyr unto the said Earl and elder brother to your suppliants should be deemed, reputed, convicted, adjudged, and attainted traytors of high treason, and should forfeit and lose the title, stile, and name of honour of Earl of Kildare, together with all the lands and hereditaments belonging unto them, by force of which Act your suppliants doe stand and are persons corrupted in their blood and lynage and thereby disabled to take or claime any thing by descent from their said father or brother, or from or by any other collaterall auncestour or cousen, or to make his or their pedigree by or through the said Gerald late Earl, or the said Thomas late Lord Thomas, and after the said attainder, most excellent Soberaign, your suppliant the now Earl being an infant and put in fear travayled in the countries of straunge and forrein Potentates, contrary to his naturall inclination, till he was called home by the clemencie of that most famous Prince King Edward the sixth your graces most noble brother, who not onely made him his servant, and received him to his favour, but also most bountifully restored him to the greatest part and portion of the lands belonging to his late father, and after your graces sister Quæen Mary did give your suppliant the name and title of honour of Earl of Kildare, with the sante preheminences, place and degree that any of his auncestors, Earls had and held the same, together with all the lands belonging to the late Earl father to your ^{the Earl of Kildare his brothers & sisters restored to their blood. recitall of the act of attainder in 28 H. 8 cap. 1.} complainants

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playnants which he had at any time during his life, other than such lands as were given away or granted by your noble Father or brother and of late your highnesse of your princely motion have restored your suppliant to a portion of his living, which hitherto was thought to hang in some doubt, and forasmuch as your suppliant is not onely restored to the state of Earl, but also considered with livings for the better maintenance of the same, and yet findeth in himself a great defect for that he is not restored to his blood: Wee most humbly beseecheth your Majestie that it may be enacted, and be it enacted by your highnesse, with the assent of the Lords spirituall and temporall and the commons in this present Parliament assembled and by authoritie of the same, That your said subjects and suppliants the said now Earl his brother & sisters, and his and their heires from henceforth shall be and by authoritie of this Act restored to his and their ancient blood and lynage, enabled to make his and their conveyances, pedigree and title by descent lyneall or collaterall from and by his and their said Father and brother, and all other his and their aunces whosoever they be, in such manner and sort, as though the said attainder or attainders, corruption of blood or any other impediments to the contrarie had never been: any law, statute, record, provision, conviction, judgement, cause or matter whatsoever to the contrary in any wise notwithstanding. Provided alway, and be it enacted by authoritie aforesaid, that this Act nor any thing therein conteyned, shall not extend to make boyd and frustrate, any gift, grant, lease for life or years, or any other estate of freehold or inheritance passed and granted by your highnesse Father King Henry the eighth of famous memorie, your brother King Edward the sixth, your sister Queen Mary, your highnesse or the said Gerald now Earl and his feoffees, or any of them, but that all such grants, gifts, leases, and every estate of freehold, and inheritance so given or made, and every of them shall be and remain of such force and effect in law, as they be and were before this Act, and in such force and effect to all intents, purposes and constructions as if this Act had never been had ne made. This Act or any thing therein conteyned to the contrarie in any wise notwithstanding. Provided alway and be it enacted by the authoritie aforesaid, that this Act nor any thing therein conteyned be prejudicial unto her highnesse, or in any wise to the disadvantage or advantage of the foresaid Gerald now Earl of Ryldare, his brother and sisters other than restitution of their blood and lynage, and such things as be incident and appertayning to their blood.

Stat, Ordination, & Act in Parlamento prædict. apud Dublin prædict. vicesimo sexto die Maij, Anno duodecimo Regni Regine prædict. coram præfato deputato similiter tento adit in hæc verba.

CAP. I.

An act for the erection of free Schooles. Rot. Parl. cap. 24.

Forasmuch as the greatest number of the people of this your Majesties Realm, hath of long time lived in rude and barbarous states, not understanding that Almighty God hath by his divine laws forbidden the manifold and haynous offences, which they spare not daily and hourly to commit and perpetrate nor that he hath by his holy Scriptures commanded a due and humble obedience from the people to their Princes and rulers, whose ignorance in these so high pointes touching their damnation, proceedeth only of lack of good bringing up of youth of this Realm, either in publique or privat Schooles, where through good discipline they might be taught

taught to a boide these lothsom and horrible errours. It may therefore please your most excellent Majestie, that it be enacted, And bee it enacted by your highnesse with the assent of the Lords Spirituall and Temporall and the Commons in this present Parliament assembled, and by the authoritie of the same, That there shall be from henceforth a free Schoole within every Diocesse of this Realm of Ireland, and that the Schoolemaster shall be an Englishman or of the English birth of this Realm, and that the Lord Archbishop of Armagh, the Lord Archbishop of Dublin, the Lord Bishop of Meath, and the Lord Bishop of Kildare, and their severall successors for ever, shall have the nomination, institution, and appointment of the Schoolemasters within their severall Diocesses from time to time for ever, that is to say, everie of them in his owne Diocesse. And that the Lord Deputie or other governour or governours of this Realm, for the time being, shall have the nomination, institutions and appointment of all and singular the Schoolemasters, in, and for all and singular the other Diocesses of this Realm (the foure Diocesses, before named, excepted) from time to time for ever. The Schoolehouse for every Diocesse to be builded and erected in the principall shire, Towne of the Diocesse, where Schoolehouses be not already builded at the Costes and charges of the whole Diocesse without respect of freedomes by the devise and oversight of the ordinaries of the Diocesse or of the Vicars generall (Sede vacante) and the Shiris of the shire. And that the Lord Deputie or other governour or governours of this Realm for the time being with and by the advise of the Councell of the same or more number of them, shall according to the qualitie and quantities of everie Diocesse appoint to and for every Schoolemaster such yearly pencion, stipend or salarie, where none is already appointed as he with and by their advise shall think convenient, whereof the ordinaries of every Diocesse shall beare yearly for ever the third part, and the Parsons, Vicars, Prebendaries and other Ecclesiasticall persons of the same Diocesse, shall pay yearly for ever the other two partes by an equall contribution to bee made by the said ordinaries. And bee it further enacted by the authoritie aforesaid, that all Churches, Parsonages, vicarages and other Ecclesiasticall livings that have come by any title, meane or conveyance to the possession and seisen of the Queens Majestie, or any of her most noble progenitors shall bee charged to his payment and contribution in whose hands or possession somever the same are or shall come.

CAP. II.

An Act that Exemplifications shal be of the same effect and strength as the Record or matter exemplified should be. *Rott. Parl. cap. 26.*

FOrasmuch as by the carelesse and negligent keeping of the Rolles, Records, and ancient monuments, that did remain in the Treasorie of this Realm, and in offices appointed for the safe custodie of them, the same Rolles, Records, and monuments are some torn and rent, some imbeaseled and concealed: and some so impaired with mosssture of stone walles as they cannot bee read to the great perill of disherison of the Subjectes. And although a number have of old and auncient time caused the exemplification to bee made forth of them for their better assurance, yet the same doe not so much benefite them as they ment they should, as being of no such sufficiency in law as the originall is. Bee it for remedie herein enacted, ordained and established by the Queens most excellent Majestie, the Lords Spirituall and Temporall, and the Commons in this present

A schoole-
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that all
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Eng. R. 13.
Ch. cap 63

exemplifi-
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a clause to
warrant the
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the exempli-
fication and
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the officer.

Parliament assembled, and by the authoritie of the same, that from henceforth all and all manner exemplifications to be made of any Recorde Judgment, Fine, Procelle, Inrolment, office, Letters patentes, or of any Act, statute, Provision or Ordinance, or of other matter or thing whatsoever of Recorde and being sealed under the Queens Majesties, her heires or successors great Seal of this Realm, and under the seals of her Majesties courtes her heires or successors of high bench or chiefe place, common place and Exchequer in this Realm and subscribed by the Lord Chauncellour, both the chiefe Justices and chiefe Baron for the time being shall be of the same force, effect, strength & validitie in law in all things, and to all intents, constructions and purposes, and shall have the same allowance estimation, credit and faith in all courtes and places, and before all Judges, Officers, and Ministers of Justice, as the originall or originalles so exemplified, of what nature or kinde soever the same bee should or ought to have if the same were produced, exhibited, pleaded, alledged and shewed forth. And be it further enacted by authoritie aforesaid, that in every exemplification to be made by vertue of this Act shall be written and inserted for warrant of the affixing of the seals before specified to the same exemplification these words following: In cujus rei testimonium his literis nostris patentibus tam magnum Sigillum nostrum regni nostri Hiberniæ quam Sigilla nostra Curiarum nostrarum capitalis placce nostræ communis banci nostri & scaccarij nostri in regno nostro præd' apponi fecimus juxta tenorem & effectum statuti in hac parte editi. And that upon the sight of everie exemplification sealed with any of the said seals in form aforesaid and of the Record, inrolment or matter so exemplified, the Queens Majesties officers that have or shall for the time have the custodie of the other seals before specified, shall have full power and authoritie by vertue and warrant of this Act to put to the seals being in their custodie.

CAP. III.

An Act for the establishing the Standard of measures for corne within certain shires of this Realm. *Rot. Parl. cap. 25.*

the standard
of Measures
for Corne

in what
Counties it
shall be

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thesaurer

Most humbly beseechen your most excellent Majestie the Lords Spirituall and temporall, and the Commons in this your highnesse Parliament assembled, that whereas there is not nor ever to this time hath ben any man may remember a standard for the measure of Corn in your Majesties Exchequer of this Realm, by the which your highnesse subjects mought be directed and ordered for their measures in buying and selling as in your Realm of England they are, by the occasion whereof in divers parties of this your Majesties Realm, of Ireland there be used measures some of overlarge quantity and some of over litle, to the great disturbance variation and hinderance of your highnesse subjects: for remedy whereof, be it of your Majesties abundant grace by the assent of the Lords Spirituall and Temporall, and of the Commons in this present Parliament assembled, and by authority of the same enacted and established, that your most excellent Majesties shall at your owne proper cost and charge, doe let make two measures of Basse, one for Wheat, Rie, Meston, Beans and Pease, and another for Malt, Oates and Barley which shall bee the Standardes for the shires of the Citie of Dublin, the countie of Dublin, Kildare, Catherlagh, Wexford, Weth, the Town of Drogheda, Westmeath, Louth, Kings countie and Queens countie within this your Realm, and that the same being marked with the Crowne and letters of your Majesties name shall remain and bee as your highnesse Standardes for the shires aforesaid in your Majesties Exchequer of this Realm

Realm in the custodie of the Lord thesaurer of this Realm, or of the underthesaurer for the time being. And be it also enacted by the said authority that unto the knights, citizens, and burgesles of every the shires, Citie and towne before named, assembled in this Parliament, and to certain burgesles of the borough towns in the same shires shall be delivered one measure of every such measures which your Majestie shall cause to be made according to the tenour of this Act for the common-wealth of your highnesse subjects within this your Realm of Ireland according to your Majesties standerd of your Exchequer in this Realm by indenture thereof to be made between the Lord thesaurer of this Realm, or the underthesaurer for the time being ^{he to be} at the cosse & charges of the said shire, Citie, towne or borough. & that ^{liber one to} the said knights, citizens, & burgesles, to whom the said measures shall be ^{each Countie} delivered, as is aforesaid shall surely & safely convey or cause the same to be conveyed by the said Citizens to their Cities, & by the said knights or burgesles unto such borough or towne corporate or market towne within the shire, for which they been elected as hereafter shall be appointed in this Act for the good custodie of the same measures with all convenient speed and expedition, there to remain for ever in the keeping ^{with whom} of the mayor, bayliff, soveraign, portrief, or other head officer for ^{to remain} the time being of the same Citie, borough or towne as your Majesties standerds of measure, and that the inhabitants of all Cities, boroughs and Market townes within every of the said shires, shall withall convenient speed after the same standerds so delivered as is before prescribed, make or cause to be made common measures, according to the measures abovesaid to remain within the said Cities, boroughs and Market townes, and every of them and the same measures to be viewed, examined, printed, signed, and Marked by the Mayor, Bayliff, Soveraign, Portrief, or other head officer, in whose possession the said standard shall remain or by his officer appointed in that behalf. And that every of the aforesaid Mayor, Bailiffe, Soveraign, Portrief, or head officer, having the said measures, printed, and signed under the signe and print for the same with the letters of your Majesties name, crowned have authority and power to make signe and print like measures unto every your Majesties subjects duely requiring the same, taking for marking of every bushell two pence lawfull money of Ireland, and that no merchant ne other person ne persons within any Citie or market towne in any the shires before specified, shall buy, sell, or receive any grain or corn with any measure except it be marked, signed or printed in manner and forme aforesaid, ne any other person or persons in any shires before specified out of the said Cities, Boroughs and market townes, except it be like and equall with the Standard ordeined and made for the shire, precinct or place where any such person shall so sell, buy or receive the said grain or corne, and that every person aswell without Cities, boroughs and Market townes, as within in every of the shires above specified, shall buy, sell, and receive and deliver with a bushell sealed, signed or marked after the forme aforesaid, and none otherwise, upon forfeiture of the grain and corn so sold, bought, received and delivered, half to your Majestie your heires and successours, and the other half to the partie grieved, and that will sue for the same by action of debt after the course of the Common lawes of this Realm, wherein no essoine, portection ne wager of law to be admitted or allowed. And that all the Mayors, Bayliffes, Soveraigns, Portriffes and other head officers of every Citie, borough or market towne within every the shires aforesaid

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said, shall causewise in the year or oftener, as they shall think necessary all measures within the said Cities, boroughs and market Townes to be brought afore them, and to be duly viewed and examined, and such as they shall upon the said examination find defective immediately to be broken and bent, and the partie or parties which in that behalf hath offended, and be found defective, shall forfeit for the first time five shillings eight pence, the forfeiture thereof to be unto the said Mayor, Baylis, Sovereign, Portrife, or any other having jurisdiction and correction in that behalf, & at the second time the said offendours likewise to forfeit thirteen shillings four pence, and at the third time likewise to forfeit twenty shillings, the same forfeitures to the head officers as afore is said, and for further punishment to be set upon the Pillory to the example of other, and that the Justices of Peace in every Shire of this Realm of Ireland have full power and authoritie to enquire, hear, and determine the said defaults, Be it also enacted by the authoritie abovesaid, that the Justices of Peace abovesaid, have authoritie to make like procelle against all persons founden as is abovesaid defective, and for such fines and amerciaments as upon them shall be assessed, as if they were indicted afore them for breaking of the Queens peace. Provided also that the examination of the defaults abovesaid and punishment to the offendours of every offence committed hereafter within any Citie or Towne incorporate of this Realm, that have by graunt or Charter the offices of Clarke of the Market, or of Justices of Peace & their authorities or that have by graunt or Charter, fines, amerciaments or forfeitures growing within their Citie or Towne shall be had done, ministered by the head officers, Clarke of the Market, or Justices of peace within the same Cities or Townes incorporate for the time being, & by none other, the premises notwithstanding. & that the same Mayors, Bayliffes, Sovereignes, Portrifes, or other head officers and their successours, shall take, have, perceive and retain, all and singular the fines, amerciaments, forfeitures, and penalties to grow by any offence to be committed against any branch or article of this Act within their severall jurisdictions and authorities in like manner as they should, might, or ought to have any forfeitures, fines, amerciaments and penalties within their severall jurisdictions and authorities by reason of any graunt or charter made to them before the making of this Act, or any thing therein conteyned, or any law, prescription custom or usage to the contrarie hereof in any wise notwithstanding. And forasmuch as great inconveniences and intollerable damages have and doth ensue by the occasion of the diversitie of measures within the shires abovementioned, and thereby amongst other hatefull evils, men are moved to buy in one market and sell the same graine in another, to the great subversion of good orders in Markets, it may therefore please your Majestie with the assent of the Lords Spirituall and Temporall, and the Commons in this your highnesse Parliament, and by the authoritie of the same, that it may be enacted and established That the severall Standards to be made by your Majestie for the severall shires, Citie and Towne before named shall keep and hold the quantities hereafter following, that is to say, the Bushell for the Wheat, Rie, Mellone, Beanes and Pease, shall contain sixteen Ale gallons, and the Bushell for the Malte, Dates, and Barley, shall contain twenty Ale gallons, and that the same Standards or measures shall be kept and remain in the Townes and places hereafter appointed in this Act as your Majesties Standards for ever. And be it enacted by the said authoritie that every Bushell of Wheat corne shall be received striked without

without heap, and the Bushell of Malt corne shall be layed and pressed downe just with the brime of the Bushell after the accustomed manner of measuring Malt, and not in other manner upon forfeiture of the corn received contrarie to the tenour hereof or of the just value and price thereof. Provided alway that this estatute shall not be of force and effect before that the same shall be solemnely proclaimed in the Cities, Shires, Townes and Boroughes hereafter in this Act appointed for the good keeping and custodie of the said Standards and measures.

The names of the townes limited for the safe

custodie of Measures, according to the Queens Standard appointed by this act for the Shires in the same As mentioned.

Countie of the Citie of Dublin, and the countie of Dublin.	The Citie of Dublin.
The Countie of the Towne of Drogheda.	The Towne of Drogheda.
The countie of Catherlagh.	The Towne of Catherlagh.
The Countie of Lowthe.	The Towne of Dondalke.
The Kings Countie.	The Towne of Phillipston.
The Countie of Methel.	The Towne of Trymme.
The Countie of Kildare.	The Towne of Kildare.
The Countie of Wexford.	The Towne of Wexford.
The Countie of Westmethel.	The Towne of Mollingar.
The Queens Countie.	The Towne of Maryborough.

Stat^{us}, Ordination^{is}, & Act^{us} in Parlamento prædicto apud Dublin prædict^{um} sexto die Novembris, Anno duodecimo Regni Reginae prædictæ. coram præfato deputato similiter tento ædit, in hæc verba.

CAP. IIIII.

An Act authorising the governour for the time being by the advise of the morepart of the Privie Councell, and upon her Majesties pleasure signified by instruction or letter to graunt letters patents to the Irishrie and degenerated men of English name of their Lands &c. yielding to her Majestie her heyres and successours certaine reversionions, &c. Rom^{an} Parl. cap. 28.

VV Here the more part of the Irishrie and diverse descended of English name within this Realm, have made humble petition unto the Lord Deputie to be meane unto her Majestie, to accept of them the surrender of all their Lordships, manors, lands, tenements and other their possessions, to the end it might please her highnesse after the said surrender so made to graunt to eyther of them the same their lands and possessions to hold of her highnesse her heyres and successours by such tenour, rent, service and attendance as should be thought meet and convenient, respecting the quantitie and qualitie of the said lands, the place where it should lye and the person that should receive the same: In consideration whereof, Be it enacted by the authoritie of this present Parliament, That the Lord Deputie or governour of this Realm for the time being, upon the offer of any the pretended Lords, Gentlemen, or freeholders of the Irishrie or degenerated men of English name, holding their lands by Irish custome, and not by tenure according to her Majesties lawes, and inhabiting in the Provinces and countries of Mounster, Thomond, Connaght, Leynster,

Fer, Kenalpaghe, Dealæ or Dalne, Mac Toghlán, Fercall Calry
 Clyncolman or Ulster, except the countries within the same Province
 united this present Parliament to the Crowne, to surrender and take
 their lands and possessions to hold of our soveraigne Lady the Queens
 Majestie, her heyres and successours, shall advertise the same to her
 highnesse, and upon her highnesse allowance thereof, and her pleasure
 signified by instructions or letter under her Majesties most gracions
 signature, unto the said Lord Deputie or governour to receive the
 same surrender and make forth the said letters patents, that then af-
 ter the said surrender or surrenders so made in her Majesties court of
 Chauncerie of this Realm, the said Lord Deputie, and the more part
 of the privie Counsell of the said Realm, shall have full power and
 authoritie by vertue of this Act to make warrants unto the Lord
 Chancelloz or keeper of the great seal of the said Realm for the time
 being, to make forth letters patents, under the great seale, unto all
 and every the said person and persons, that her Majestie shall by in-
 structions or letters will and appoint letters patents to be made unto,
 of their lands & possessions with the appurtenances or any part thereof,
 to have & to hold to them for yeres, life, in taile, or in fee simple, or with
 remainder or remainders to any other person or persons for life, in taile,
 or in fee simple, according as shall be specified or limited in the same
 instructions or letters, the said patents their heyres and assignes to
 hold of her Majestie her heyres and successours by such tenour, and
 to yeeld, heare and pay all such services, rents, and to doe and accom-
 plish all other thing and things according as shall be reserved, expres-
 sed and set forth in the said letters patents, and that the said letters
 patents shall be good and effectuell in the law according to the tenor
 and effect of the same. Provided alway, and be it further enacted by
 the authoritie aforesaid, that this Act or any thing therein conteyned
 shall not extend or be of force to take away from any Earl, Viscount,
 Baron, or any other Lord spirituall or temporall or any other person
 or persons of this Realm, any right, title, entre, possession, seignorie,
 tenures, rents, services, charges, customes, or other commodities, pro-
 fits, or advantages whatsoever, which they or any of them have had
 or ought to have by due course of her Majesties lawes, into, upon, or
 of any the lands, possessions, or hereditaments, which shall be surren-
 dred and regiven or taken by the authoritie and force of this Act, but
 that all and every Earle, Viscount, Baron, and other Lord spiri-
 tuall and temporall, and other person and persons, shall and may
 have all and singular such right, title, entre, possession, seignio-
 ries, tenures, commons, rents, services, charges, customes, and other
 commodities, profits and advantages whatsoever, as they and every
 or any of them have had, or ought to have as aforesaid, in, to, upon,
 or of any of the said lands, possessions, and hereditaments to be sur-
 rendred and retaken by force of this Act in as large and ample maner
 to all intents, constructions and purposes, as if this Act were never
 had ne made. This Act ne any thing therein conteyned to the con-
 trarie in any wise notwithstanding.

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Statuta Ordinata Et Actiones, In Parlamento Prædicto Apud
 Dublin Prædictum Quinto Die Decembris Anno decimo
 tertio Regni Regine prædictæ coram præfato deputato
 similiter tento ædie in hæc verba.

CAP. I.

An Act that such Cloath & stufte as shall be wrought of the Wooll, Flockes, Lynnen yarne,
 Wollen yarne, Sheepefell, Calfell, Goatfell, red Deerefell, or fallow Deerefell, within
 this

this Realm shall bee transported for merchandise onely by the Merchants within every Scaple, Cities, & Townes of this Realm, & by the free Merchants of the Boroughes & Priviledged Townes and by none other.

VV Herein a Session of this present Parliament holden at Dublin, it was enacted, ordeined, and established by the Queens Majestie, with the assent of the Lords Spirituall and Temporall and the Commons in this present Parliament assembled, and by the at thezitic of the same, that whatsoever person or persons shall from and after the last day of September, which shall be in the year of our Lord God 1569, put, carrie, or load into any Ship, Barke, Pickard, Boat, or vessell, any Wooll, Flockes, Linnen yarn, woollen yarn, shepessell, Calfesell, Goate fell, Red dæresfell, or fallow dæresfell unwrought, Tallow, Ware, or Butter, to the intent to carrie the same out of this Realm, shall pay for the same to the Queens Majestie her heires and successours, for custome, as by the same act more fully and at large appeareth, before the establishment of which act, the commodities now restrained were transported for the more part, by the Merchant staplers within the staple Cities, and Townes of this Realm, and by the Merchants of the boroughes and priviledged townes of this Realm whereby they were made more able to store this Realm with forrein commodities, by their diligence in traffique, which companies of Merchants, experience hath taught to be the chiefe stay of the Cities and priviledged Townes and Boroughs within this Realm, as without whom, neither the same Cities and townes be upholden and maintained, nor yet governed and ruled, nor the service of the Realm in sundry points so well furthered and advanced, as by them it is at this present. The decay of whose state shall worke grievous, ye an importable detriment to this poore Common-weale, as to men of judgement and experience in the state of this Realm is manifestly known, and by the restraint and stay of the afore specified commodities to be transported unwrought, and libertie given to all maner of men, as well French, Scottissh, Spanissh, and other nations, forreine and straungers to this Realm for the conbeyance of them being wrought, these companies of Merchants of this Realm shall be shut up from trade & traffique, being then in no better account than any forrein or straunger, so which God forbid, shall in short time ensue the ruine, waste and desolation of the Cities and priviledged Townes of this poore Realm, the onely defence and supporte of this poore Ile, now well stayed by these companies of Merchants, and by them these hundred yeares passed, maintained, governed, ruled and kept in good order and civillitie to the honour of the Crowne of England, and safegard of the good subjects yea, and to the great terrour of the rebels and disordered enemies of the weale publicke. And over this where the intent of the said statute of restraint is that the commodities shall be wrought and artificers set on worke within this Realm, there is no hope to be conceived hereof, if there be not some such provision made as the Parte of those commodities shall not be free to all men, and that every stranger shall take so much benefite of them, as they whose bodies and goods are readie to be employed in the defence of the Realm, which thing in all well governed common-weales have beene in all ages singularly respected and forseene, where if the transporte of such commodities as shall be wrought of the said things now restrained shall be committed onely to the Staplers within the Staple Cities & Townes, and to the Merchants of the Boroughs and priviledged Townes of the Realm, they as indeed most able to accomplish it, will by all good

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means devise for the allure of good workmen that shall traivaille in the worke of these things, and will with all diligence store the Realm with artificers for that purpose aswell for the common profit of their native country, as for the increase of private wealth, which must ensue thereby. Be it therefore for remedie of the premises, and for the good causes and considerations before alledged enacted ordeined and established by the Queens most excellent Majestie, the Lords spirituall and temporall, and the commons of this present Parliament assembled, and by the authoritie of the same, that from henceforth for ever, no person or persons shall carrie or transport, or cause to be carried or transported any cloth or other work or stufte that is wrought and made, or that hereafter shall be wrought and made within this Realm of Ireland, of Wooll, flockes, Linnen yarn, Wollen yarn, Shepfell, Calkefell, Goatefell, red Dersell, or fallow Dersell, out of this Realm, or shall imbarke or Ship any of the same commodities, to be transported carried or conveyed out of this Realm, but only a Merchant in one of the Staple Cities, or Townes of this Realm, or a Merchant of one of the Boroughes or privileged and incorporated Townes of the Realm, which are incorporated by Charter. So that the same Merchant shall be inhabitant, and have his chief dwelling within the same Borough or privileged and incorporated Town, or the factors or servants of any of the said Merchants. And be it further enacted, ordained and established by the authoritie aforesaid, that every one that shall be inhabitant or free within any Staple Citie or Towne, or within any other incorporate Towne of this Realm which shall by them selfe, or by his factor or servant imbarke, ship, carrie, load or convey any cloath, worke or stufte before mentioned not being at the time of such imbarking shipping, carriage, loading, or conveyance, a Merchant in the same Citie or Towne, shall forfeite for every time the whole cloath, worke or stufte so imbarked, shipped, carried, loaden, or conveyed, if the same may be seized upon, and if the same be not seized upon, that then he shall forfeit the double value of the cloth worke or stufte, so imbarked, shipped, carried, loaden or conveyed, and that the one halfe of everie the said forfeitures shall be to the seiser, or to the informer of the offence before the Judges hereafter to be appointed by this Act, and the other half to the Queens Majestie, her heirs and successours. And that likewise every one that shall be inhabitant or free within any Borough or privileged and incorporated town of this Realm, as is aforesaid, which shall by himself or by his factour or servant embarque, ship, load, carrie, or convey any cloth, worke, or stufte, before mentioned, not being at the time of such imbarquing, shipping, carriage, loading or conveyance a Merchant of the same Borough, or privileged or incorporated town, shall forfeit for every time the whole cloth, worke or stufte so imbarked, shipped, carried, loaden, or conveyed, if the same may be seized upon, and if the same may not be seized upon, that then he shall forfeit the double value of the cloth, work, or stufte so imbarqued, shipped, carried, loaden, or conveyed, and that the one halfe of every of the said forfeitures shall be to the seiser or to the Informer of the offence before the Judges hereafter to be appointed by this act, and the other halfe to the Queens majestie, her heyres and successours. And that likewise everie one that is not free and inhabitant of any Citie, borough, or privileged and incorporated town in this Realm as aforesaid, which shall imbarque, ship, carry, laode or convey, by himselfe or by his factour or servant, any cloth, worke, or stufte before mentioned,

not

notbeing at the time of such imbarquing, shipping, carriage, loading
 or conveyance, a Merchant in one of the Staple cities, or townes of
 this Realm, or a Merchant of one of the Boroughes or privileged
 and in corporated townes of this Realm in manner before appointed,
 shall forfeit for every time the whole cloth, worke or stuff so imbarqued,
 shipped, carried, loaden or conveyed if the same may be seyled upon
 And if the same may not be seyled upon, that then he shall forfeit the
 treble value of the cloth, worke or stuff so imbarqued, shipped, car-
 ried, loaden or conveyed. And that the one halfe of every the said for-
 feitures shall be to the seisor, or to the informer of the offence before
 the Judges hereafter to be appointed by this Act, and the other halfe
 to the Quæns Majestie, her heires and successours. And if the
 said cloath, worke or stuff shall fortune to be imbarked, shipped, car-
 ried, loaden, or conveyed in any creeke or place out of Haven or Port,
 Citie, or Towne, then the one halfe of the forfeiture to be to the seisor or
 informer as before, and thother half to the Quæns Majestie her heires
 and successours. And be it further enacted by the authoritie aforesaid
 that the said forfeitures and every of them shall be demaunded,
 sued for, and impleaded before the ordinarie Judges within every Citie
 borough, or towne privileged by playnt, information, bill, action, or
 other kind of suit, after the manner, order and custom of the same
 Citie or towne, or before any the Quæns Majesties ordinarie Judges
 of her highnesse courts in this Realm, at the pleasures of the partie
 plaintife pursuant or informant: any limitation of use of forfeiture
 to the corporation of the Citie or towne, or any other matter or cause
 to the contrary notwithstanding. And that in any such action, bill
 plaint, information or suit, no essoine, protection or wager of law shall
 be admitted or allowed. And to the intent that this Act may take the
 better and more sure effect, Be it likewise enacted by the said au-
 thoritie, that no licence of dispensation to be made or graunted by the
 governour or governours of this Realm for the time being under the
 great seale of this Realm, or in any other manner, for dispensation
 with this Act, or any branch, clause or article thereof, shall be of any
 force, strength or effect in the law, but shall be utterly voyde to all
 intents, constructions, and purposes: any prerogative, law, usage,
 prescription, custome or matter to the contrarie in any wise notwith-
 standing. And be it enacted by the authoritie aforesaid. that all and
 singular person and persons that before the making of this Act were
 free and discharged of custome to the Quæns Majestie her heires and
 successours or to any other corporation or person, by charter graunt,
 incorporation, and other title whatsoever shall be and continue free
 and discharged of and from any custome to be due of the commodities
 and things specified in this Act, as they were and ought to be before
 the establishment hereof, and not otherwise: any thing conteyned in
 this Act, or any other cause, thing or matter to the contrarie in any
 wise notwithstanding. Provided also, and be it enacted by the said
 authoritie, that this Act nor any branch or article thereof shall not
 be extended or construed to touch any English merchant or stranger
 that shall bring into this Realm Iron, Salt, Wine, graine or other
 merchandise, but that every such merchant their servants or factours
 shall and may transport any of the cloath worke or stuff before men-
 tioned which he shall receive as exchange, for the wares & merchan-
 dises so brought into this Realm, and which he shall buy with such
 money, gold, or bullion as the same merchant or stranger and every
 of them shall bring into this Realm, as with the money made of such

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his or their merchandises within the Citie or borough, or privileged towne where he shall make his discharge, so that the same merchant or stranger, his factor or servant do take or buy the same of a merchant stapler, or merchant of the said Citie, or privileged, & incorporate towne where he doth discharge, paying to the Queens Majestie her heires and successours all customs and duties due, and to be answered in and for the same, as have been used and accustomed for yarn and other the wares afore specified, before the making of this Act: and not otherwise. Any thing in this Act to the contrary notwithstanding. Provided also and be it enacted by the authoritie aforesaid, that the merchants of boroughes and privileged and incorporated towns, not being Haven or Port townes, shall by themselves, their factours and servants have free libertie to transport any and every the said cloath, work, and stufte mentioned in this Act from time to time in every haven and Port of this Realm, paying and answering the customes and charges due, of and for the things to be transported as have been accustomed and used in manner aforesaid, without interruption: any law, custom, franchise, or other matter heretofore made and used, or hereafter to be made and ordained within any Port or haven, Citie or towne of this Realm to the contrarie hereof in any wise notwithstanding. Provided also and be it enacted by the said authoritie, that this Act nor any braunch nor article thereof shall not be extended or construed to touch any of the Lords spirituall or temporall of this Realm, nor any of her Majesties Councell of the same, or Gentlemen to inhibit them or any of them to load or transport any of the sayd cloath, work, or stufte before mentioned for his or their owne necessities, or to send to any his or their friend from time to time, so as they nor any of them do not use the same for any accustomed trade of merchandise: any thing in this Act conteyned to the contrarie notwithstanding.

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CAP. IIII.

An explanation of the Act made in a session of this parliament for the staying of wooll, Flockes, tallow, and other wares and commodities mentioned in the said Act, and certaine Articles added to the same Act.

31. R. II. Cl.
cap. 10 recti-
fall of the
Statute-

Where an Act passed in a session of this present Parliament, whereby it was enacted and established that the Queens Majestie her heires and successours should have certaine custome out of wooll, flockes, flaxe, Lynnen Yarn, wollen Yarn, shepfell, calkefell, goatfell, red Dearefell, fallow Dearefell untwrought, Beeke, Tallow ware and Butter, that should be put, carried or loaden into any ship, barque, pyckard, boate or vessell to the intent to carrie the same out of this Realm, and that the Cities and corporate townes from whence the said wares, victuals, and other things should be transported, imbarqued, and carried away should also have certain customs therefore. And that he that should so put, carry, or load the same wares, victuals, or commodities, or any of them into any ship, barque, pyckard, boate, or vessell to the intent to carry the same out of this Realm should pay certain forfeitures to him or them that would sue therefore by action of debt, by writ at the common law, playnt in any Court of Record within this Realm, or by information in the Exchequer of the same Realm. And that the owner possessor, or any other officer or master of any ship, barque, pyckard, boate, or other vessell wherein any of the said wares, victuals or other the premisses, should be so imbarqued and put before payment and satisfaction made to the Queens Majestie, her heires and successours, and also to the said Cities, and incorporated Townes of the said customs, should forfeit every such ship, barque.

barque, pyckard boate, or other vessell, wherein the premisses or any of them should be so imbarqued, loaden or put, the one halfe thereof to be to the Queens Majestie, her heyres and successours and the other halfe to him or them that shall present or enform the same before the Barons of the Exchequer for the time being in this Realm, and that the concealing of every such imbarquing, loading, or carrying away out of this Realm of any of the premisses by the Searchour, his Deputy, factour or attourney of any port, haven, or creek within this Realm, should be felonie in the sayd Searchour, his Deputy, factour or attourney, as by the said Act more plainly appeareth, The meaning of which act, was to stay the sayd commodities to be wrought within this Realm whereby manie now living idly within the same Realm should be set to worke, and many English artificers allured to come to the same Realm to worke the premisses, to the great commoditie, profite and increase of civilitie of the same Realm. Which good meaning of that good Law made for the Common-wealth of this pooze Realm was and is dayly sithence the establishing thereof deceyved by divers evil disposed persons, who doe subtilly and craftily steal and convey the premisses out of this Realm without any entre made in any Customers books, or custome payed of or for the same, and such wicked & malicious devices daily invented to transport and carrie the premisses out of this Realm, contrarie to the good meaning of the said Statute, the hinderance of her Majesties said customs, and to the utter undoing of diverse merchants and other good members of the common-wealth of the same Realm, who bestowed the most part of their substance in buying of Tools, and bringing of good civill artificers out of England and other countreyes and Realms to worke the said commodities within this realm, as it is verily like there will be more scarcitie of the said commodities within this Realm from henceforth then there hath been before the making of the said Statute, if some politque remedie be not speedily provided for the same. In consideration whereof, the commons of this pooze Realm of Ireland most humbly beseecheth your, Majestie, that it may be enacted, and be it enacted by your most excellent Majestie, with the assent of the Lords spirituall and temporall, and the commons in this present Parliament assembled, and by the authority of the same that whatsoever person or persons shall from henceforth ship, load, imbarque, put convey, or carry away in any shippe, barque, pyckard, boat or other vessell, whatsoever, any wooll, flockes, flaxe, linnen yarn, wollen yarn, shepfell calfevell, goatfell, red Dearefell, fallow Dearefell unwrought, Beefe, Butter, Tallow or Tallow wrought in Candles or otherwise, wax, or wax wrought in Candle or otherwise within any haven, Creek or place within this Realm before entrie thereof made, and all and singular the customes specified in the said former statute, well and truly contented, satisfied and payed according to the tenour, effect, and meaning of the sayd statute, that all and singular the same Wooll flockes, flaxe, linnen yarn, wollen yarn, Shepfell, Calfevell, red Dearefell fallow Dearefell unwrought, Beefe, butter, and tallow, Tallow wrought in Candles or otherwise, wax, and wax wrought in Candles or otherwise so shipped, loaden, embarked, put, Conveyed, or carried away in any Ship, Barke, Pickard, Boat or other vessell whatsoever, before entrie thereof made, and the said customes payed and satisfied as aforesaid shall be forfeited, the one half thereof to the Queens Majestie, her heires and successours, and the other half to him or them that shall find or espie the same, and that every person and persons

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that shall so find or espie the premises or any of them, as aforesaid, shall and may lawfully take, seise, carrie away, and keep the same, and every parcell of them so found and espied, to the Quæns Majesties use for the one moyetie or halfeindeale, to the use of such person or persons as shall so find or espie the same. And be it further enacted by the authoritie aforesaid that every such shipping, loading, imbarking, and putting into any ship, Barke, Pickard, Boate or any other vessel whatsoever of any of the premises in any Port, Haven, Harbour, or Creek, within this Realm before entrie made of the same, and the customes aforesaid well and truly satisfied and payed according the Tenour and effect of the said former Statute shalbe adjudged and deemed feloney in all and every such person and persons, their ayders, consenters and assistants, that will so ship, load, imbarque, and put the premises into any Ship, Barke, Pickard, Boate, or other vessel before entrie made, and the said customes payed as aforesaid, and that the same persons, their ayders, consenters and assistantes so to doe, shall have the same order of procelle, inquirie, triall, judgement forfeiture, and execution, as in cases of Felonie is used by the common Law in this Realm. And that the Justices of Peace at their Sessions, and all and every Officer, and Officers within Cities and incorporated Towns having authoritie to be Justices of peace, or of Gaole delivery, within the said Cities and incorporated townes, shall and may lawfully inquire, here, and determine all and singular the premises made Feloney by this Act. And bee it further enacted by authoritie aforesaid, that every Packe or Fardell, Chest, Truncke or other thing loaden, shipped, carried, sent, or conveyed to any place within this Realm, to the intent to be shipped or loaden, wherein any manner of Parne, woll flockes, Flax, Sheepfell, Calfevell, Goatefell, red Deerefell, fallow Deerefell untworought, Beefe, Butter, Tallow, or Tallow wrought in Candles, or otherwise, Wax and wax wrought in Candles, or otherwise, shall be set packed or enclosed shall be seised and forfeited whereof the one half to be to our said Sovereigne Lady her heyres and successours, and the other halfe to him or them that shall so seise or take the same or sue for the same, by action of debt, bill, plaint, information, or otherwise, in any of the Quæns Majesties Courts, wherein the partie defendant shall not wage his Law, ne in the same any escoine, or protection shall be allowed, any prerogative, Law, usage, prescription, custome, cause, or matter whatsoever to the contrarie in any wise notwithstanding. Provided alway, and be it enacted by the authoritie aforesaid, that this Act, nor any thing therein conteyned, shall extend to take away the force, or effect of any clause, Sentence, Article, proviso, or saving comprised, in the said former Act, but that the said former Act shall be, and remaine of such force and effect, to all intents and purposes, as if this Act were never had, ne made, any thing in this Act conteyned to the contrarie in any wise notwithstanding. And to the intent that this Act may take the better, and more sure effect. Be it enacted by the said authoritie, that no licence, or dispensation, or pardon for forfeiture of any goods, and chattles, that shall be forfeited by this Act, to be made, or graunted by any governour, or governours of this Realm for the time being, under the great Seale of this Realm of Ireland, or in any other manner whatsoever, to be graunted by the said governour, or governours for dispensation with this Act, or any branch clause, or article thereof shall be of any force strength, or effect in the Law, but shall be utterly voyde, to all intents, constructions, and purposes, any prerogative, Law, usage,

Usage, Prescription, custome, or matter to the contrarie in any wise notwithstanding. Prohibited alway, and be it further enacted by the authoritie aforesaid, that it shall be lawfull to and for any and every the inhabitants or dwellers within any and every of the Counties of Waterford, Wexford, Catherlagh, Kildare, the Kings Countie, the Queens Countie, Kilkenny, Tipperarie, Corke, Lymmericke, Clare, and Kerry, to carrie, load, transport, and convey any of the wares, Merchandises, victuals, and other prohibited wares in this Act above specified, in any Ferryboate, or other small Boat or vessel, upon any of the Rivers, being and running within any and every of the said Counties above mentioned, to and fro any and every Citie or Towne within the said Counties, or any of them: so as the same wares, Merchandises, victuals, & other the prohibited wares, or any part or parcell of them be in no wise, nor by any manner of meanes carried, transported, or conveyed out of this Realm, any thing in this Act conteyned, to the contrary in any wise notwithstanding. And also that it shall be lawfull to and for every Subject of this Realm, to ship, lade, transport, carrie, and convey by Sea, or other water, Flesh Tallow, and Butter or any of them out of any Port, Haven, or Craike of this Realm, onely for victualling, furniture, and provision of any Army, Campe, Garrison, or Warde of her Majestie, her heires and successours being or residing in any place within this Realm, so as the same, or any part or parcell thereof be not in any wise transported, carried, or conveyed out of this Realm, any thing in this Act conteyned to the contrary notwithstanding. And that it shall be also lawfull for, and to any and every Subject of this Realm to ship, carrie, load, transport, and convey any Flesh, Tallow, and Butter out of any Haven, Port, or Craik of this Realm, having not theretofore the Queens Majesties, her heires and successours, any Custom, or other ordinarie officer, for the receipt of entries and customes: so as the same Flesh, Tallow, and Butter, or any part or parcell thereof be in no wise carried, or transported out of this Realm, but discharged in any Citie, Port, or Haven within this Realm, where there is, or shall be such Custom, or other ordinarie officer, and therefore true entrie made of the quantity of the same in the said Custom, or other officers Bookes. And that the same entrie truly certified by the said Custom, or other Officer, into her Majesties Exchequer, and the Exchequer of her Heires, or Successours within twelve days after the beginning of every Term, after such entrie made with any Custom, or other officer, as aforesaid. And further, that it shall be also lawfull to and for any and every Subject of this Realm, to load, ship, transport, and carrie any Flesh Tallow, or Butter, out of any Haven, Port, or Craik of this Realm, having any Custom, or other ordinarie Officer of the Queens Majestie, her heires and successours for receipt of entries and Customes there: so as the same Subject from time to time as often as he shall so ship, embarke, or load any Flesh, Tallow, or Butter, there enter in bond obligatorie to the said Custom, or other ordinarie Officer for the time being, to the Queens Majestie, her heires and successours use, in the double value of the goods so shipped, imbarqued, and loaden, there to discharge and unlade the said Flesh, Tallow, or Butter in any Citie or Towne, within this Realm, where such a Custom, or other ordinarie officer, as aforesaid, remaine, and is appointed. And that the said bonds obligatorie so taken, and duly perfited, shall be by the said Custom, or other ordinarie officer, certified within three Months next after the taking of every such bond obligatorie into the Queens Majesties

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Majesties Erchequer, and the Erchequer of her Heyres and Successors of this Realm, if then the sayd Erchequer shall open: and if the sayd Erchequer shall not be open at or before the end of every such thre monthes, then the said Customer, and other ordinarie Officer, as aforesaid, to certifie the same into the Erchequer the first day of the next Tearm then next ensuing, there to be sued against the partie offending contrarie to the Tenour of this Act, by action of debt, bill, or information in the sayd Erchequer. And so that the flesh, Tallow, or Butter so shipped, imbarqued and laden, nor any part nor parcell thereof be in any wise transported, carried or conveyed out of this Realm. And bee it further enacted by the authoritie aforesaid, that all and singular the Customer, & customers, & other ordinarie Officer or Officers within any Citie, Towne, Port, Haven, or Creek of this Realm, shall have full power & authoritie from time to time, to receive & take the said bonds to the Queens Majesties use, and to the use of her heyres and successours. And that all and singular the said bonds so taken and received, shall stand in full force and effect to charge the person and persons so bounden and offending, contrary to this Act, to all intents, constructions and purposes, and that for making of every such bond, the sayd customer, or other ordinarie Officer shall receive twelue pence of him or them that shall be bound by the same and no more. And if the said subject deliver to the Barons of her Majesties said Erchequer, or to the Barons of the Erchequer of her Highnesse heyres and successours a certifiat under the Customer, or other ordinarie officers hand, and Cocket Seale of the Port, or Haven where the said flesh, tallow, or Butter, or any of them hath been so discharged, and unladen within this Realm, before suit used against him upon the sayd bond, that then the sayde bond to be boyd, and of no force in Law, any thing in this Act conteyned to the contrarie notwithstanding. Provided also, and bee it further enacted by the authoritie aforesaid, that it shall bee lawfull to and for any, and every Subject of this Realm, dwelling within the Isle of Lambey, to lade, ship, transport, & carry out of any Port of this Realm, into the same Isle of Lambey, any flesh, Tallow, and Butter for the necessarie, and onely victualling, finding, and expences of their households there within the same Isle. So as the same flesh, Tallow, or Butter, or any part or parcell thereof be in no wise carried, transported, or conveyed out of the same Isle of Lambey to any other Realm, or Land whatsoever, unlesse it be to some Port of this Realm, where there is such customer, or other ordinarie Officer for receyving of Entries and Customs, and a true entrie thereof made there in the said Customer, or other Ordinarie Officer for the time being his Bookes, and the same entrie and discharge truly certified by the sayd Customer, or other ordinarie Officer for the time being, into the Erchequer of her Majestie, her heyres and successours of this Realm, before the end of the next Tearm after the said entrie, any thing in this Act conteyned, to the contrarie in any wise notwithstanding. And bee it further enacted by the authoritie aforesaid, that no Subject, dwelling within the sayde Isle of Lambey, or else where, carrie, imbarque, transporte, or load any flesh, Tallow, or Butter into the said Isle of Lambey, out of any Haven, Port, or Creek of this Realm, having any such Customer, or other ordinarie Officer for receyving of Entries and Customs, before entrie made of the same in the sayde Customer, or other Officers bookes, upon the paines and forfeitures comprised within this Act. And that the sayd Customer, or other Officer doe certifie the same into the Erchequer of this Realm,

Realm, before the end of the next Tearn following the same. And that all & singular the certificat & certificates of any Customor, Controller, or any other Officer or Officers of any Citie, Town, Port, Haven, or Creek, within the Realm of England, or elsewhere, in writing, under his, or their Seale, or Seales of his, or their Office or Offices, certifying the entrie and discharge of any of the said prohibited wares, Merchandises, victualls, and commodities, prohibited by this Act, to be carried, or conveyed out of this Realm, shall be from time to time a sufficient evidence and proof against any that shall offend contrary to this Act, to be ministred to any Jury in any Action, Suit, Information, or Inditement to be brought, proponed, or set forth against any such offendour or offendours, for offences mentioned in this Act., any Law, Custome, prescription, matter, or cause whatsoever to the contrary in any wise notwithstanding. And be it further enacted by the authoritie aforesaid, that every Customor, and other ordinarie Officer of any Port, Haven, or Creek of this Realm, shall from time to time make the certificats mentioned in this Act, according to the Tenour and true meaning of the same, upon paine of forfeiture of Officer neglecting to make Certificats to pay ten pounds lawfull money of Ireland, for every time that any of them shall refuse, or neglect so to doe, the one half of which forfeiture to be to the Quæns Majestie, her heyres and successours, and the other half to him or them that will sue for the same by action of debt or information before the Barons of the Exchequer of this Realm for the time being. Provided alway and bee it enacted by authoritie aforesaid, that this Act ne any clause, article, matter, thing or things therein conteyned shall not extend nor be of force to take from any Lord spirituall or temporall, bodies politique and corporate ne to any other person or persons their heires, successours and assignes any right, title or forfeiture that to him or any of them did belong before the making of this Act. this act not to take away any former right from any Lord or others.

C A P. V.

An Act for the attainder of Iohn fitz Gerald called in his life time the white Knight, otherwife called Iohn Oge fitz Iohn Knight fitz Gybbons.

V Here the iust judgement of God hath cut off from the bodie of this your Majesties common wealth, that unnaturall, unkind and corrupt member named Iohn fitz Gerald, called in his life time the White Knight, otherwife called Iohn Oge fitz Iohn Knight fitz Gybbons, having been so heynous an offendour of your Majestie and your lawes, as one of the principall and chiefest actuall doers in this last rebellion, as God mought not of his iustice suffer him to live to so extream daunger of this your Majesties Realm and of all the good members of the same, yet considering that his most trayterous cruell and ingrate doings in his life were so pernicious and perilous an example, together with his continuance in his false and trayterous intents and purposes against your highnesse, and the whole estate of your Realm, as the same doe require extream correction and punishment to the terrour and feare of all others, which his offences neither were, ne conveniently could have been in his life time condignely punished and corrected. It may therefore please your most excellent Majestie that it may be enacted. And be it enacted with your highnesse assent, the Lords Spirituall and Temporall and the commons in this present parliament assembled, and by authoritie of the same, that the layd Iohn fitz Gerald called in his life time the Whyte Knight by whatsoever estate, degree, name, surname, or condition he was called or known for the said trayterous offences, rebellion, confederacies, adherencies,

Iohn fitz Gerald
attainted.

adherencies, and deeds by him most disloyally committed and perpetrated, shall be by the authoritie of this present Parliament adjudged and attaynted from the first day of Aprill in the eleventh yeare of your Majesties raigñ Traytour of high Treason, and that the same John Fitz Gerald, called in his life time the Whyte Knight, shall forfeit and lose to your Majestie your heires and successours, all such Castles, Manors, Meases, Lands, Tenements, Meadowes, Leases, Pastures, Woods, Waters, Rents, Reversions, Remynders, services, offices, fees, annuities, uses, possessions, Rights, Conditions, Commodities and all other hereditaments of what names, natures, or qualities soever they be, and also all such goods, Cattells, and debts which the same John Fitz Gerald, called in his life time the white Knight, had enjoyed or was seysed or possessed of the said first day of Aprill in the said eleventh year of your Majesties raigñe, or at any time sithence, and all such rights, titles, estates, interests, uses and possessions which he had the said first day of Aprill or at any time sithence, of, in or to the sayd castles, mannours and other the premisses, & every part & parcel of them, and that all such castles, mannours, meases, lands, tenements, meadowes, leases, pastures, Woods, Waters, Rents, Reversions, Remynders, services, offices, fees, annuities, uses, possessions, tyeths, rights, interests, conditions, commodities, and all other hereditaments shall be by the authoritie aforesaid, adjudged, vested and deemed to be in the Actuell and Reall Possession of your Majestie, from the said first day of Aprill in the said eleventh year of your raigñ, without any office or inquisition thereof to be taken or found according to the common or statute lawes of this your Realm. Saving, and be it enacted by authoritie aforesaid, to all and evertie person and persons and bodie politique and corporate, and their heyres, assignes & successours & to every of them, other then the said John Fitz Gerald called in his life time the white Knight, and his heyres generall and specially hereafter clayming the premisses or part of them as heyre, or by any conveyance to be made by or from the said John Fitz Gerald, called in his life time the white Knight, and all and every other person and persons clayming by him or to his use, or to the use of any his heyres generall or speciall, all such rightes, titles, interests, leases, fees, rents, services, charges, rent secke, and all other commodities profittes and hereditaments whatsoever that they or any of them had, might, could or ought to have had if this present Act had never beene had ne made. Provided alwayes, and bee it enacted by the authority aforesaid, that this Act shall not extend to any lands, tenements or hereditaments with their appurtenaunces, that the wife of the said John Fitz Gerald, called in his life time the white Knight, had in her owne right, in use, possession, remainder, reversion or otherwise in estate of inheritance, or to any lands, tenements, or hereditaments with their appurtenaunces that were ensured by any conveyance to his said wife, or to any to her use before the said first day of Aprill, but that shee and her assignes, and all and every other person or persons seysed to her use shall enjoy and have the same lands, tenements, and hereditaments with their appurtenances so ensured and conveyed, and that shee and her heyres generall and speciall, and all & every other person and persons seised to her and their use and uses shall have and enjoy the said Lands, tenements and hereditaments with their appurtenances that shee had in use, possession, reversion, remaynder or other title of inheritance according to her and their title in and to the same, as if this act had never beene had ne made, any thing in this act conveyed to the contrary notwithstanding.

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CAP. VI.

An Act authorising the Primat of Ardmagh to set his landes and possessions in the Irish pale for years without the assent of his Chapter

Humbly prayeth unto the Quæns most excellent Majestie, and to the Lords Spirituall and Tempozall and the Commons in this present Parliament assembled, Thomas by the permission of God now Archbishop of Ardmagh and Primat of all Ireland, that whereas the most part of such tempozall hereditaments as to the See of his said Archbishopricke belongeth, lyeth in Ulster remote from Civill inhabitaunts, and for lacke of such inhabitauntes is partly usurped by rebels and outlawes, people of the Irish nation, or else lyeth wast and desolate, by reason of their evill neighboured amongst whom no civill and well disposed people would be induced to inhabit unless in such sufficient number as may be of strength able to defende & maintaine themselves, and with such estate and correspondent of tenure and rent as might counterbayle their so great adventure and charges, the which to bring to passe, and so to graunt, lieth not in the said Reverend Father onely, forasmuch as any such estate cannot extend longer then for his owne time, and with any decrease of Rent of olde time had therefore, although not these many years receivable, nor at this time with these difficulties afore mentioned reasonably, nor like to be taken at his hands but with such estate of tenure and for such Rent as may be alluring & easie commodities for the time, but by and with the assent and consent of the Deane & Chapter of the Cathedral Church of Ardmagh of that his See, whom to congregare being in remot places except a verie few of them both by nation, education and custome Irish, Irishly affectioned, and small hope of their conformities or assent unto any such devise as would tend to the placing of any such number of civill people there, to the disadvantage or byrdling of the Irish, although thereby weare to be hoped should arise, not onely to the sayd reverend Father & his successours reasonable profite & revenue towards his and their better mayntenaunce, whereas these many years hath arisen little or none, and to the Quænes most excellent Majestie, the furtherance of her most Godly intent in the planting of civillitie, obeyfance and force of her good Subjectes there, and the banishing of the outlawes and rebellious people, but also to helpe the common Wealth of this Realm in obedient amendement. For remedie in which behalfe it may be enacted, and be it therefore by her most excellent Majestie, the Lords Spirituall and Tempozall, and the commons in this present Parliament assembled, and by the authoritie of the same, enacted, ordeyned, and established, That all and singular such Leases, being under the number of one hundred years, as the said Archbishop of Ardmagh or his successors shall make, or passe under the scale of the said Archbishopricke, unto any person or persons born in the Realm of England, or of the English and civill nation, borne in this Realm of Ireland, of any whatsoever Lordshippes, Manors, Lands, Tenements, or Hereditaments, or of any parte or parcel of them, or of anie of them, to the See of the sayd Archbishopricke, belonging and situate beyond the limits of the English Pale, and beyond Dondalke, Northwards, or Westwards not being inhabited or occupied at this day by any of the English byrth, and nation of this Realm of England, but being wast and desolat grounds, taken up by the Irish, reserving unto the said Archbishop and his successors Archbishops, upon every such Lease or Leases, for and during all terme, reserved, graunted or passed by the same, the yearly rent of foure pence or more, and not under for every Acre of

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Land of fingall measure, so devised or graunted by that Lease of graunt, shall be of like, and in as good force and validitie in Law to all purposes and constructions for and during the whole terme and years, devised, graunted, or passed by the same, as if the common assent and Seale of the afoze specified Deane and Chapter were affixed thereunto. Provided alway and be it enacted, that this Act, or any thing therein containned, shall not extend for passing or leasing of the See, Place, Court or House of Ardmagh, or any part or parcell thereof, or of any Lands or Hereditaments, Temporall or Spirituall, belonging to the same, as the Demaynes thereof, but that the same shall be and remain alway to the use and behalfe of the sayd Archbishop and his Successours. Provided also, that this Act, or any thing therein containned, shall not extend to any Lease made, or to be made after the end of twelve years next ensuing the last day of this present Parliament, nor to any Lease to be made in reversion of and upon a Lease in possession. Provided also, that in every Lease to be made by the force of this Act, the Lessee or Lessees, their executors and assignes shall be tyed under condition of losse of his and their interest, that they nor any of them shall not depart with their interest, nor any part thereof to any person or persons that shall not be of the English birth, and nation of this Realm, or of the Realm of England. Otherwise, and for default of such condition, the Lease to be of no force or effect.

CAP. VII.

An Act for the attayndour of Thomas Queverford late of Ballymacka.

attayndour
of Thomas
Queverford,

Where the just judgment of God hath of late cutte off from the bodie of this your Majesties common Wealth, by death of that unnaturall, unkind, and corrupt member, Thomas Queverford late of Ballymacka in your county of Kilkenny, having been in his life time one of the chiefest and principall conspiratours and actuall doers in this last rebellion, before he was thereof attayned, or could be apprehended: yet considering, that if his most cruell and trayterous doings should be left uncorrected and unpunished, would remaine a perilous example for others hereafter to doe the like. It may therefore please your Majestie, that it be enacted: And be it enacted with your highnesse assent, the Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, and by the authoritie of the same, That the said Thomas Queverford shall be adjudged and attainted from the first day of Aprill, in the eleventh year of your Majesties Reigne, traytor, attainted of high treason: and that he shall forfeit and loose to your Majestie, your heyres and successours, all such Castles, Mannours, Messuages, Lands, Tenements, Meadowes, Leasues, Pastours, Woods, Waters, Rents, Reversions, Remainders, Services, Offices, Fees, Annuities, Uses, Possessions, Rights, Commodities, conditions, and all other hereditamentes, of what names, natures, or qualities soever they be. And also all such goods, chattells, and debts, which he, or any to his use had enjoyed, or was seised, or possessed of the said first day of Aprill, in the said eleventh year of your Majesties reign, or at any time since, and all such rights, titles, interests, uses, and possessions, which he had the said first day of Aprill, or at any time since, of, in, or to the said Castles, Mannours, and other the premises, or of any parte or parcell of them. And that all such Castles, Mannours, Meales, Landes, Tenements, Meadowes, Leases, Pastures, Woods, Waters, Rents, Reversions, and other the hereditamentes afoze

atore specified, which were the sayd Thomas Queberfords, shall be by authoritie aforesaid, adjudged, vested, and deemed to be in the actual and reall possession of your Majestie from the sayd first day of Aprill in the sayd eleventh year of your reigne, without any office, or inquisition thereof to be taken or found, according to the common, or Statute lawes of this Realme. Saving to all and every person or persons, bodie publique and corporate, and to their heyers, assignes and successours, and to every of them, other then the said Thomas Queberford, his heyers generall and speciall, and all other clayming by him all such rights, titles, entries, interestes, rents, services, rents charges, rents secks, leases, fees, and all other commodities, profittes, and hereditaments whatsoever, that they, or any of them had, might, could, or ought to have, as if this Act had never been had, ne made. Provided alwayes, and be it enacted by the authoritie aforesaid, that this Act shall not extend to any Lands, Tenements, or Hereditaments, with their appurtenances, that the wife of the said Queberford had in her owne right, in use, Possession, Reversion, Remainder, or otherwise in estate of inheritance, or to any lands, tenements, or hereditaments, with their appurtenances, that were ensured by any conveyance to his sayd wife, or to any to her use, before the said first day of Aprill, but that shee and her assignes, and all and every other person or persons, seyled to her use, shall enjoy & have the same lands, tenements and hereditaments, with their appurtenances so ensured & conveyed, and that shee and her heyers generall and speciall, and all and every other person and persons, seyled to her and their use and uses, shall have and enjoy the said Lands, Tenements, and Hereditaments, with their appurtenances, that she had in use, possession, reversion, remaynder, or other title in estate of inheritance, according to her and their title, in, and to the same, as if this Act had never been had, ne made: any thing in this Act conteyned to the contrarie notwithstanding.

Stat^{us}, Ordination^{es}, Acta & provisiones ædit. in prima Sessione Parliamenti illustrissimæ Principis Dominiæ nostræ Elizabethæ, Dei gratia, Angliæ, Franciæ, & Hiberniæ Reginiæ fidei defensoris &c. Virtute commissionis & mandati dictæ Dominiæ Reginiæ sub magno Sigillo suo Angliæ, tent. apud Dublin, die Lunæ proximo post festum Sancti Marci Evangelistæ, videlicet vicesimo sexto die Aprilis, Anno Regni prædictæ Dominiæ Reginiæ vicesimo septimo coram prædilecto & fideli Consiliario suo Johanne Perrot milite, Deputato suo generali Regni sui Hiberniæ, & ibidem continuat^{ur} vsque ad vicel. quintum dicm Maij eodem Anno.

Nec non,

Statuta, Ordinationes, Act^{us} & provisiones ædit. in secunda Sessione Parliamenti illustrissimæ Principis Dominiæ nostræ Elizabethæ, Dei gratia Angliæ, Franc^{iæ}, & Hiberniæ Reginiæ, fidei defensoris &c. virtute Commissionis & mandati dictæ Dominiæ Reginiæ sub magno Sigillo suo Angliæ, tent. apud Dublin super diversas prorogationes & adjournament^{um}, coram prædilecto & fideli Consiliario suo Johanne Perrot milite, Deputato suo generali Regni sui Hiberniæ. XXVj. die Aprilis, Anno Regni dictæ Dominiæ Reginiæ XXVij. & ibidem continuat^{ur} vsque ad Xiiij. die Maij tunc proxim^{us} sequentem, & eodem Xiiij. die Maij dissoluti, finiti & terminati.

C A P. I.

An Act for the attainer of *James Eustace* late Viscount of Baltinglas, and others,

In their most humble wise beseechen your most excellent Majestie the Lords spirituall and temporall, and all other your loving and obedient subjects, the commons in this your most high Court of Parliament assembled, that where James, late Viscount of Baltinglas, Edmond Eustace, Thomas Eustace, Walter Eustace and Richard Eustace

James Eustace Viscount of Baltinglas and others Attainted.

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Eustace

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Extends to
others be-
sides the
persons
named.

Eustace brethren to the sayd late Viscount, most falsly and tray-
terously, some of them by open Rebellion in diuers parts of your
Majesties Realm of Ireland, and others by sundry confederacies,
combinations and conspiracies, and other overt facts, have commit-
ted, perpetrated and done many detestable and abominable Treasons
against your highnesse, to the great perill and danger of the utter de-
struction and overthrow of the good estate and publique peace of this
your highnesse said Realm of Ireland, if God of his infinite good-
nesse had not in due time opened and revealed to your Highnesse their
trayterous intents and purposes, and discomfited them in the same:
Of, and for which treasons being most manifest and apparant, some
of the sayd traytours and offendours before named, have been and are
lawfully, and by due procelle outlawed, and thereby justly attainted,
and some of them have been and are justly and lawfully convicted &
attainted by tryall of the country according to the lawes of this your
sayd Realm of Ireland, as by the records of their severall indictments
and attaindours moze plainely it doth and may appeare, and for the
which severall offences, some of the sayd offendours have suffered paynes
of death according to their demerites: It may therefore please
your highnesse of your most gracious and accustomed goodnesse, and
for the entire love, favour and heartie affection that your Majestie hath
alwayes heretofore borne, and yet beareth to the common wealth of
this your sayd Realm of Ireland, and for the good preservation of your
most excellent Majesties government of the same, and of the good
peace, unitie and rest of all us your most bounden and obedient subjects
thereof, to graunt and assent at the humble suite and petition of your
said loving and obedient subjects the Lords Spirituall and Tempo-
rall, and the Commons in this present Parliament assembled, that all
and eberie the said convictions, outlawries and attaindours of all and
every the said offendours, may be approbted and confirmed by the au-
thoritie of this present Parliament. And be it enacted that the same
convictions, outlawries and attaindours, and every of them shall be
and remaine sufficient & effectuall in Law to all intents, constructi-
ons and purposes, any error, insufficiencie, or other defect in forme
or matter in them or any of them to the contrarie notwithstanding.
And that it may be further enacted by the authoritie aforesaid, that as
well the said James late Viscount of Saltinglas, and all other the
said offendours and persons before named, as all such others who by
actuall rebellion and other trayterous practises most trayterously
and abominably have committed like abominable and detestable trea-
son and rebellion, and have dyed and been slaine in their said actual
rebellion and treasons, or otherwise ben by martiall Law executed for
the same, and every of them for their sayd abominable and detestable
treasons by them and every of them most abominably and trayterously
committed, perpetrated and done against your Highnesse and this your
said Realm of Ireland, shall be by authoritie of this present Parlia-
ment convicted and attainted of high treason. And that as many of
the said offendours and persons before named as be yet in life and not
pardoned for the same, shall and may at your Highnesse will and plea-
sure suffer payns of death, as in cases of high treason. And that the
said James late Viscount of Saltinglas, and every other of the said
offendours and persons attainted before named, as well such of them as
be yet in life, as also such of them as be put to execution for their
sayd treasons, or otherwise dyed, ben slaine or executed by martiall
Law as is aforesaid, shall lose and forfeit to your Highnesse, and to
your

your heyres and successours, all and every such Honours, Castles, Mannours, Mesuages, Landes, Tenements, Rents, Reversions, Remainders, Possessions, Rights, Conditions, Interests, Offices, Fees, Annuities, and all other their Hereditaments, Goods, Chattels, Debtes and other things of whatsoever names, natures or qualities they be, which they the said offenders and persons before named or any of them had, to their or any of their use or uses, or which any other had to their or any of their uses the day of the said several treasons by them or any of them committed, perpetrated or done, or at any time since. And that all and singular the said honours, castles, manors, mesuages, lands, tenements, rents, reversions, remainders, possessions, rights, conditions, fees, annuities, and all other hereditaments, goods, chattels, debts, and other the premises shall be deemed, vested and judged to be in the actual and real possession of your Majestie, without any office or inquisition thereof hereafter to be taken or found. Saving to all and every person and persons, bodies politike and corporate, and to their heyres and successours, and to the heires, successours and assigns of every of them, (other than the said James late Viscount of Saltinglass, and other the said offenders and persons attainted before named, and their heires and the heires of every of them, claiming any thing in the said honours, castles, manors, mesuages, lands, tenements and other the premises, or any part thereof, as heir or heirs to and from them or any of them, and all and every other person and persons claiming or having any thing in the said honours, castles, manors, mesuages, lands, tenements and other the premises or any part thereof to their uses, or the use of some or any of them, or to the use of any their said heirs) all such right, title, use, possession, interest, reversions, remainders, entre, condition, fees, offices, rents, annuities, leases, commons, action, suite, petition, execution and, all other hereditaments, and all actions and means to recover or obtain the same whatsoever, which they or any of them had or ought to have in the premises or any part thereof, at or before the said several treasons by the said several offenders committed or done, in as large and ample manner to all intents and purposes, as if this Act had never been had or made, any thing therein contained to the contrarie thereof notwithstanding.

Provided alwaies, and nevertheless be it enacted by the authoritie a-
foresaid, that this Act or any thing therein contained, shall not in any wise extend to make void any graunt, gift, lease or demise made by our
said Sovereign Ladie the Queen of any of the said manors, landes, tenements or hereditaments to any person or persons by letters patents under the great Seal of Ireland, at any time or times since the said treasons committed, but that the same lessees and patentees, their heires, executors, and assigns shall and may have, hold and enjoy all and everie the lands, tenements, hereditaments, and other things whatsoever past and named to be past in the said letters patents, according to the several estate and estates limited and specified in the same, and under such reservations, covenants, conditions and other limitations and articles as are in such letters patents comprised and expressed, as well against the Queens Majestie, her heirs and successours, as against all and every other person and persons, their heirs and successours whatsoever.

And be it also further enacted, that this Act or anything therein contained, shall not in any wise extend to take away or make void any pardon heretofore made or graunted to the said persons and offenders or any of them before in this Act mentioned, eyther by Proclamation
sent

Saving

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Grants
made of the
said lands
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not to make
void any
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ſent from her Maieſtie out of England, according to the contents of the ſaid Proclamation, or by her highneſſe Letters patentes under the great Seale of this Realm, but that the ſayd perſons and every of them to whom any ſuch pardon is or hath been granted, ſhall and may have and take the advantage and benefit of every ſuch pardon and all things therein contained in as large and ample manner, as they or any of them ſhould, might or ought to have done, if this Act had never been had or made, any thing in this Act containd to the contrarie thereof in any wiſe notwithstanding.

concerning
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dulent con-
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made by the
perſons
Attainted.

3r St: 3 C:
2: cap. 4.

And where it hath been and is very much bruted and publiſhed abroad, and by ſundry perſons pretended, that divers and many of the ſaid rebels and perſons before mentioned to be attainted, and named in this preſent Act and other records of the ſaid ſeverall attainders, after they had intended and purpoſed to enter into their ungodly and diabolical practice of rebellion and treason, did make divers ſecret and fraudulent eſtates and conveyances of their lands, tenements, uſes and hereditaments, to the intent thereby to defraud the Queens Maieſtie of ſuch forfeitures of their lands, tenements, uſes and hereditaments as her highneſſe by reaſon of their ſeverall treasons ſhould be entitled to have: And forasmuch as the ſaid pretended fraudulent ſtates and conveyances are yet kept ſecret and not openly publiſhed, and in time to come may be very dangerous and likely to tend to diſinherit the Queens Maieſtie, her heires, ſucceſſours and aſſignes of their eſtate and intereſt in ſuch lands, tenements and hereditaments, as her Maieſtie & her aſſignes now have or ought to have by reaſon of the ſaid attainders, or of this preſent Act, unleſſe ſome proviſion be made that ſuch ſecret eſtates, conveyances and aſſurances may in due and convenient time be openly publiſhed and brought to light: For remedy whereof, be it enacted by authority of this preſent Parliament, that every perſon and perſons, their heires and aſſignes, which have, hath, or claimeth to have any eſtate of inheritance, Leaſe, uſe or rent not already entred of Record, or certified into the Queens Maieſties Court of Exchequer in this Realm of Ireland, of, in or to any manors, landes, tenements, uſes, or hereditaments by any graunt, aſſurances or conveyances whatſoever, had, made, or done by any of the ſaid Rebels and perſons before in this preſent Act named and mentioned to be attainted, or by any ſeiſed to any of their uſe or uſes at any time ſithence the death of Roland late Viſcount of Saltinglas, and father to the ſaid James, and the reſt before named, viz. from the laſt day of March in the twentieth year of the reign of our ſaid moſt gracious Sovereign Lady that now is, ſhall within one year next enſuing the making of this Act, openly ſhew and bring forth, or cauſe to be ſhewed and brought forth into the Queens Maieſties ſaid Court of Exchequer, the ſame his or their graunt, conveyance and aſſurance which he or they have or hath, or pretendeth to have, of, in or to any the ſaid manors, landes, tenements, uſes or hereditaments, & there in the term time ſhall offer & exhibit the ſaid graunt, conveyance & aſſurance, to be entred & enrolled of Record, or elſe every ſuch graunt, conveyance & aſſurance ſo had and made by any of the ſaid Rebels and perſons before in this preſent Act named and mentioned to be attainted, or by any other ſeiſed to any of their uſe or uſes, and not ſo brought into the ſaid Court of Exchequer, and there exhibit within the year aforesaid, ſhall be utterly void and of none effect to all intents and purpoſes: any thing in the ſame conveyance contained to the contrary notwithstanding.

And be it further enacted by the authority aforesaid, that the Treasurer,
Chan-

Chauncelloz, & Barons of the said Court of the Exchequer, or any of them, upon every such offering and exhibiting of any such graunt, conveyance and assurance hereafter in form aforesaid to be made, shall forthwith cause the same offer to be entered of Record, and shall likewise cause the same conveyance and assurance in the same Court to be entered and enrolled of Record, without any fee or reward to be taken or had of the partie for the doing thereof. And after such offer made and recorded, it shall and may be lawful for everie person which hereafter shall so exhibit and offer any such graunt, conveyance and assurance in the said Court of Exchequer, at his libertie and pleasure at all times within one year then next following, to produce and bring before the said Treasurer, Barons, and Chauncelloz, such testimonie, proof and witnesses into the said Court of Exchequer, there to be examined, as he can, for the better proove of the said graunt and assurance to be made (bona fide) and without any fraud or covin. And yet nevertheless, if at any time after, upon any information upon that cause, or other information to be preferred and exhibited into the said Court of the Exchequer, for and upon the behalf of our said Sovereign Ladie the Queen, her heires or successours, or upon any occasion upon the cause or suit to be prosecuted by anie the patentees of the Queens Majestie, her heires or successours, or by anie the heires or assignees of anie of the same patentees, it shall happen to be sufficiently tried and proved by verdict of twelve men, according to the common course of the Lawes of this Realm, that anie of the said estates, assurances and conveyances made by anie of the said Rebels and persons before in this Act named and mentioned to be attainted, was made upon anie fraud or covin, to the intent thereby to defraud the Queens Majestie of such forfeitures as might have grown or comen to her Highness by reason of anie of the said attaindours: That then every such estate, conveyance and assurance so tried and sufficiently proved as aforesaid, to be had and made by and upon such fraud or covin, shall be utterly void and of none effect to all intents, constructions and purposes, until such time as such trial be lawfully undone by attaint or otherwise, any thing in the said conveyances to the contrarie thereof in anie wise notwithstanding. Saving to all and everie person and persons and bodies politick and corporate, their heires and successours, and to the heires and successours of everie of them, (other then such persons and their heires as he or have been parties or privie to any estates or conveyances made by fraud or covin as is aforesaid, and other then such as shall not exhibite, offer, and shew forth their said graunts, conveyances and assurances in the said Court of Exchequer within the time to them before in this Act limited) all such estate, right, title and interest as they or any of them have, of, in, or to any of the saide manours, lands, tenements, uses & hereditaments, or any parcell thereof, in as large and ample maner and forme to all intents and purposes, as if this Act had never been had or made.

Provide always, that this Act or any thing therein conteyned, shall not extend to any lease of lands, tenements or hereditaments most commonly used to be letten to ferme for years or lives within the space of twentie yeares before the making of the same lease, and not exceeding the terme of twentie one yeares or three lives from the time of the making of the same lease, and whereupon the usuall accustomed yearly rent or more is reserved, nor to any Estate by copy of any Land or tenements made according to the custome of any manour whereof the same is parcell.

And

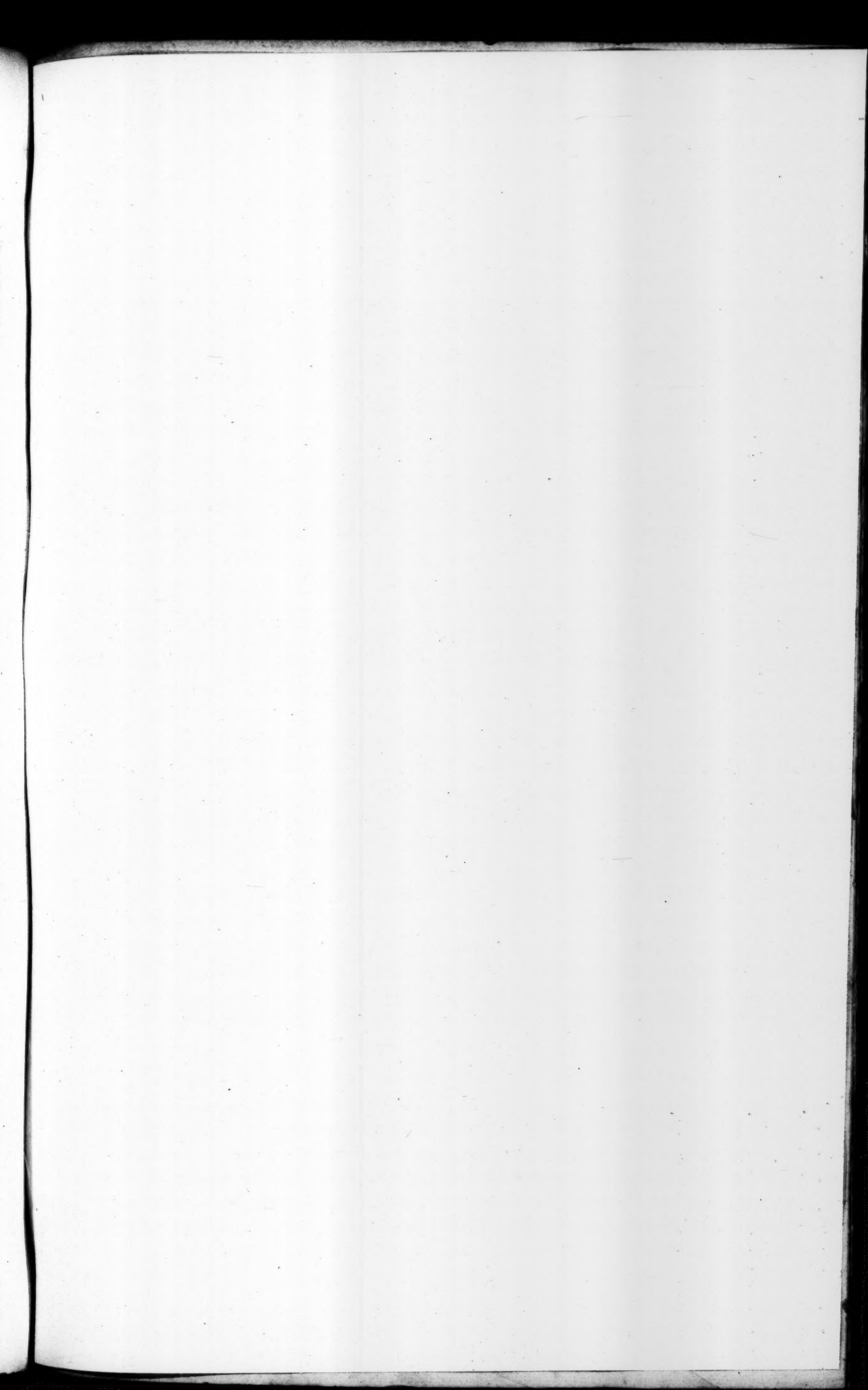
where the
persons
Attainted
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And where the said James late Viscount of Baltinglas, or some or any of them at the time of the said Treasons committed and done, were and stood seised of any Mannours, Landes, Tenements and Hereditamentes to the use of any other person, bodies politique or corporate, not being attainted of Treason, and not to their or any of their own uses or behoofe: Bee it further provided and enacted by the authoritie of this present Parliament, that all and everie such other person or persons, bodies politique and corporat, to whose use or uses the said James late Viscount of Baltinglas and other the persons in or by this Act before named and mentioned to be attainted, or some, or any of them were so seised as is aforesaid, the day of the said severall Treasons committed, or at any time thence, and the heyres and assignes of everie such other person and persons, shall and may from time to time enter into the same Mannours, Landes, Tenements, and Hereditamentes, and everie or any part thereof, aswell upon the possession of our said Soberaigne Ladie the Queens Majestie, her heires and successours, as of any other person or persons, and thereupon make and execute all and every such estates thereof to any other person or persons, and to such uses and intents, as they might have done if the said attaindour or attaindours had never been had or made. And as touching such mannours, Lands, Tenements and hereditamentes, whereof the said James late Viscount of Baltinglas and others the offenders and persons before in or by this Act named and mentioned to be attainted, or some or any of them were joyntly seised together with any other person or persons to the use of any other person or persons not being attainted of Treason the day of the said severall Treasons committed, or at any time thence, that the same other person or persons with whom the said offendours and persons in this Act named and mentioned to be attainted, or some or any of them were so joyntly seised as is aforesaid, shall stand and be seised of the same whole Mannours, Landes, Tenements, and Hereditamentes, and of every part thereof, to such uses and intents, as they were so joyntly seised the day of the sayd severall Treasons committed, the said attaindours notwithstanding, as though the said offendours and other the persons in this Act before named and mentioned to be attainted, or any of them, had never had any estate of, or in the said Mannours, Lands, Tenements, or hereditamentes.

the confor-
mation of
future At-
tainders.

Ar. 6 D. 8:
cap. 13.

And be it further enacted by the authority aforesaid, that all and every offendour and offendours, being hereafter lawfullry convict of any manner of high treason by any Act of Parliament, presentment, confession, verdict or proces of outlawry according to the due course and custome of the Common Lawes or statutes of this Realm, shall lose and forfeit to the Queens Majestie, her heires and successours, aswell all such rights, entries and conditions, as also all such Lands, Tenements, and Hereditamentes which any such offendour or offendours shall have of any estate of inheritance in use or possession by any right, title or meanes within this Realm of Ireland, or elsewhere within any the dominions of the same Realm, at the time of any such Treason committed or at any time after. And that every such attaindour according to the course of the Common Lawes or Statutes of this Realm, shall be of as good force, value and effect, as if it had been done by authority of Parliament. And that the Queens Majestie, her heyres and successours, shall be deemed and adjudged in actual and real possession of all such Landes, Tenements, Uses, Here-



Hereditamentes, Goods, Chattels and all other things of the offendour and offendours so attainted, without any Office or inquisition to be found of the same: any law, statute, Custom or use to the contrarie in any wise notwithstanding. Saving to every person and persons their heires and successours (other then the offendours in any Treasons, their heires and successours, and such person and persons as claime to any of their uses) all such Rights, Titles, Interests, Possessions, Leases, Rents, Offices and other profits, which they shall have at the day of the committing such Treasons hereafter to be committed or at any time afore, in as large and ample manner as if this Act had never been had or made.

CAP. II.

An Act for the restitution in blood of Laurence Delahide.

In most humble wise sheweth unto your highnesse your faithfull & humble subject Laurence Delahide of Moyglare within the countie of Meath, gent. That whereas in a Parliament holden at Dublin in the xxviii. year of the raigne of your most noble father King Henry the eight, before the Lord Leonard Greave then Lord Deputie of this Realm, it was enacted that James Delahide father to your suppliant, and sonne and heire apparant unto sir Walter Delahide of Moyglare in the countie of Meath knight, grandfather to your suppliant, should be deemed, reputed, convicted, adjudged and attainted traytor of high treason, & should lose & forfeite all the lands, tenements and hereditaments that should of right descend, remain, come or be unto him after the death of his said father, by force of which Act your suppliant doe stand and is a person corrupted in blood, and thereby disabled to take or claim any thing by discent from his said ancestors, or from or by any other collaterall ancestor or cousin, or to make his petigree by or through the said James, and after the said attainder, most gracious Soberaign Lady, your suppliant was not onely graciously received to your highnes favour, but also most bountifully and mercifully restored to a portion of his said lands belonging to his said late grandfather sir Walter Delahide, for good and reasonable considerations and causes then moving your Majestie: And forasmuch as your suppliant findeth in himself a great blemish and defect, for that he is not restored to his blood, he most humbly beseecheth your Majestie that it may be enacted, that your said suppliant may eftsoones be restored in blood, and to his blood. Wherefore be it enacted by her Majestie, with the assent of the Lords Spirituall and Temporall, and the commons in this present Parliament assembled, and by authority of the same, that the said Laurence Delahide shall be from henceforth by authoritie of this Act restored to his ancient blood and lineage, enabled to make his resortans, conveyance, petigree, demaund, claim and title by discent lineall or collaterall, from, by and under his said father and grandfather, and all other his and their ancestors whatsoever they be, for all manner of lands, tenements and hereditaments not now in her Majesties hands, seisin, or possession, or ought to be in her hands, seisin or possession, nor in the hands, seisin or possession of any that claimeth from, by or under her Majestie or any of her noble progenitors in such manner and sort, as though the said attainder or attainders, corruption of blood, or any other impediment to the contrarie had never been: Any Law, Statute, Record, Provision, Judgement, Conviction, Cause or matter whatsoever to the contrarie in any wise notwithstanding. Provided alway, and be it enacted by authoritie aforesaid, that this Act or any thing therein contayned, shall not extend

Laurence
Delahide
restored in
blood.

tend to make void or frustrate any gift, graunt, lease for life or years or any other estate of freehold or inheritance passed and graunted by your highnesse Father King Henry the eight of famous memorie, your highnesse brother King Edward the first, your highnesse sister Queen Mary, or the late King and Queen King Philip and Queen Mary, your highnesse, or the said Laurence and his assignes or any of them, but that all such grantes, giftes, leases, & every estate, interest of freehold, inheritance and termes as is given & made for yeares, & every of them shall be and remain of such force and effect in law, as they be and were before this Act, and in such force and effect to all intentes, purposes, and constructions, as if this Act had never beene had ne made: This Act nor any thing therein contayned to the contrarie in any wise notwithstanding.

Provided alwaies, & be it enacted by the authoritie aforesaid, that this Act nor any thing therein contained, shall not be in any wise prejudicial unto her highness, nor in any wise further beneficial to the foresaid Laurence Delabide, than his restitution in blood and lineage, and for such thinges as be incident and appertayning to his habilitie of blood onely.

Anno Vicesimo octavo Elizabethæ.

C A P I.

An Act concerning willful perjurie.

Eng. 8: 5.
El: cap. 9.

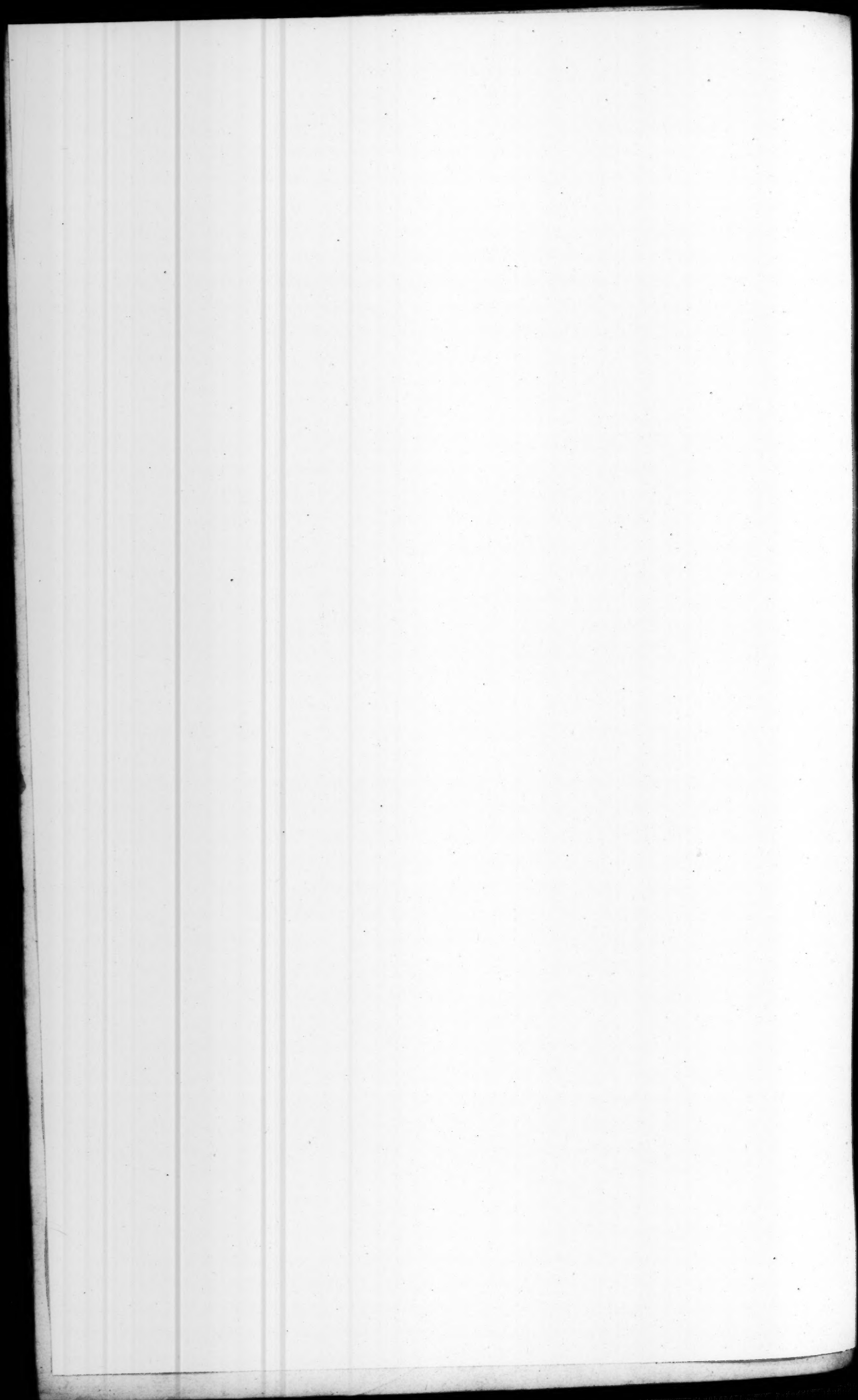
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FOrasmuch as this Realm of Ireland is greatly troubled & hindered by reason of wilful perjurie daily committed, notwithstanding that many good lawes have been made & ordeyned for redress thereof: for that great dangers & perilles are daily like to fall, if some further remedies shall not be speedily provided for prevention thereof: be it therefore enacted by our Sovereign Lady the Queen, with the assent of the Lords Spiritual & Temporal, and the Commons in this present Parliament assembled, & by the authority of the same, that all & every person & persons whiche at any time after the end of this present Parliament, shall unlawfully or corruptly procure any witness or witnesses by Letters, Rewardes, Promisses or by any other sinister or unlawful labour or means whatsoever, to commit any willful or corrupt perjurie in any matter or cause whatsoever now depending, or that hereafter shall depend in Suite and variaunce by any Writ, Action, Bill, Complaint or Information in any wise concerning any Lands, Tenements, or Hereditaments, or any goods, chattels, debts, damages, or any other cause of action whatsoever in any of her Majesties courtes of Castle chamber, Chauncerie, chiefe place, courte of common ples, Exchequer, or any other court or courts before any Judge, Justicer, President, Governour, Commissioners, Mayor, Shiriffes, Seneschalles, or any other Officers whatsoever, aswell within liberties as without, in this Realm of Ireland, or shall likewise unlawfully or corruptly procure or suborne any witness or witnesses which shall from & after the end of this present Parliament be sworn to testifie in perpetuam rei memoriam: That then every such offender & offenders shall for his or their said offence, being thereof lawfully convicted or attainted, lose and forfeite the summe of fortie poundes. And if it fortune any such offendour or offendours so being convicted or attainted as aforesaid, not to have any goods or chattels, lands or tenements to the value of fortie poundes: that then every such person so being convicted or attainted of any offences aforesaid, shall for his or their said offence suffer imprisonment by the

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ſpace of one half year without Bayle or Mayneprife, & to ſtand upon the pillory by the ſpace of one whole hour in ſome Market Towne next adjoyning to the place where the offence was committed, in open Market there, or in the Market Towne it ſelfe where the offence was committed: And that no perſon or perſons being ſo convicted or attainted, to be from thenceforth received as a witneſſe to be depoſed or ſworn in any Court of Record, or within any other Court or Courts within this Realm of Ireland, untill ſuch time as the Judgment given againſt ſuch perſon or perſons ſhall be reverſed by attainr or otherwiſe. And that upon every ſuch reverſall, the parties grieved to recover his or their dammages againſt all and every ſuch perſon and perſons as did procure the ſayd Judgment ſo reverſed to be firſt given againſt them or any of them, by action or actions to be ſued upon his or their caſe or caſes according to the courſe of the common Lawes of this Realm.

but if wronged ſhall be treble recompensed.

And be it further enacted by the authoritie aforeſaid, that if any perſon or perſons after the end of this Parliament, either by the ſubornation, unlawfull procurement, ſinifter perſwaſion or means of any others, or by their owne Act, conſent or agreement, willfully or corruptly commit any manner of willfull perjurie by his or their depoſition in any the Courts before mentioned, or before any the Judges, Commissioners, or Officers before mentioned, or being examined ad perpetuam rei memoriam; that then every perſon and perſons ſo offending, and being thereof duely convicted or attainted by the lawes of this Realm, ſhall for his or their offence looſe and forfeit twenty pounds, and to have imprifonment by the ſpace of ſix months without baile or mainprife, and the oath of ſuch perſon or perſons ſo offending, from thenceforth not to be received in any Court of Record within this realm untill ſuch time as the judgment given againſt the ſaid perſon or perſons ſhall be reverſed by attainr or otherwiſe. And that upon every ſuch reverſall, the parties grieved to recover his or their dammages againſt all and every ſuch perſon and perſons as did procure the ſaid judgement ſo reverſed to be given againſt them, and every of them, by action or actions to be ſued upon his or their caſe or caſes according to the courſe of the common lawes of this Realm. And if it happen the ſaid offendor or offendours ſo offending not to have any goods or chattels to the value of xx.li. that then he or they to be ſet upon the pillorie in ſome market place within the county, City or borough where the ſaid offences ſhall be committed, by the Shiriſſe or his miniſter if it ſhall fortune to be without any Citie or towne corporate. And if, it happen to be within any ſuch Citie or towne corporate, then by the ſaid head officer or officers of ſuch Citie or towne corporate, or by his or their miniſters, and there to have both his ears nailed, and from thenceforth to be diſcredited and diſabled for ever to be ſworn in any of the courts of record aforeſaid, until ſuch time as the judgement ſhall be reverſed, & thereupon to recover his dammages in manner & forme aforeſaid: the one moiety of all which ſummes of money, goods & chattels to be forfeited in manner & forme before mentioned, to be to the Queen our ſoveraigne Lady, her heires & ſucceſſors, & the other moiety to ſuch perſon or perſons as ſhall be grieved, hindred, or moleſted by reaſon of any the offence or offences before mentioned, that will ſue for the ſame by action of debt, bill, plaint, information or otherwiſe in any of her Ma-jesties Courts of Record, in which no wager of Law, eſſoine, protection, injunction or any other commaundement to be allowed.

the perjuror

forfeits 20^{li} and 6 months imprifonment. &c.

And be it alſo enacted by the authority aforeſaid, that aſwel the judge &

Judges of every such of the said courts where any such suite is or shall be & whereupon any such perjurie is or shall happen to be committed, as also the Justices of Assise and Gaole delivrie in their severall Circuits, and the Justices of Peace in every Countie within this Realm, at their quarter Sessions both within liberties and without, shall have full power and authoritie by vertue hereof to inquire of all and every the defaults and offences perpetrated committed or done contrarie to this Act by inquisition presentment, bill or information before them exhibited, or otherwise lawfully to heare and determine the same: And thereupon to give judgement, award procelle and execution of the same, according to the course of the lawes of this Realm.

And be it further enacted by the authoritie aforesaid, that the Justices of Assise of every Circuite within this Realm, shall in everie countie within their Circuits two times in the yeare, that is to say, in time of their sittings, make open Proclamation of this Statute or the effect thereof, to the intent no person or persons shall be ignorant or misconusant of the penalties herein contayned.

Not to extend to spiritual Courts &c.

Provided also and be it enacted, that this Act nor any thing therein contayned, shall not extend to any Spirituall or Ecclesiasticall Court or Courts within this Realm: but that all and every such offender and offenders as shall offend in forme aforesaid, shall be punished by such usuall and ordinarie lawes as heretofore have been, and yet are used and frequented in the said ecclesiasticall Courts any thing in this present Act contayned to the contrarie notwithstanding.

In the English Statute here is a clause of 10 l. forfeiture by a witness default in appearing upon a subpoena served adtestificand and tender of his reasonable charges. Also the power of the Presidency and Chamber.

Provided alwayes, that this Act or any thing therein conteyned, shall not extend in any wise, to restraine the power and authoritie given by Act of Parliament heretofore made to the Lord Chauncelloz of Ireland and others of the Kings Counsell for the time being, to examine and punish ryots, routes, heynous periuries, and other offences and misdemeanors which the Lord Chauncelloz and other sithence the making of the said Act, have most commonly used to heare and determine in the Court at the Castle of Dublin commonly called the Court of Castle Chamber, nor to restraine the power or authoritie of the Lord President and Counsaile that is or shall be in Downster, Conaght and Ulster, nor of any other Judge having absolute power to punish perjurie before the making of this statute, but that they and every of them shall and may proceed in the punishment of all offences heretofore punishable, in such wise as they might have and used to do before the making of this Act to all purposes, so they set not upon the offender or offenders lesse punishment then is contayned in this Act: This Act to continue for ever.

CAP. II.

An Act against Witchcraft and Sorcerie.

Against Witchcraft and sorcery Eng: 8: 1 A cap: 12

Where at this present, there is no ordinarie ne condigne punishment provided against the practises of the wicked offences of conjurations and invocations of evill spirites, and of Sorceries, Enchauntments, Charms and Witchcrafts, whereby manie fantastical and diabolish persons have devised and practised invocations and conjurations of evill and wicked spirites, and have used and practised Witchcrafts, Enchauntments, Charms and Sorceries, to the destruction of the persons, and goods of their neighbours and other subjects of this Realm, and for other lewde and evill intents and purposes, contrarie to the lawes of Almighty God, to the perill of their owne Soules and to the great infamie and disquietnesse of this Realm.

For reformation whereof, be it enacted by the Queens Majestie, with

with the assent of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the authority of the same, that if any person or persons after the end of three Monethes next and immediately after the end of the last Session of this present Parliament, use, practise or exercise any Invocation or Conjurations of evill and wicked spirites, to or for any intent or purpose: or else if any person or persons, after the sayd three Monethes expired, next after the end of the last Session of this present Parliament, shall use, practise, or exercise any Witchcraft Enchauntment, Charme or Sorcerie, whereby any person shall happen to be killed or destroyed: that then aswell every such offendour or offendours in Invocations or Conjurations as is aforesaid, their aydoers and counsellors, & also every such offendour or offendours in Witchcraft, Enchauntment, charme or sorcerie, whereby the death of any person doth ensue, their aydoers and counsellors, being of the said offences lawfully convicted and attainted, shall suffer paines of death as a felon or felons, and shall lose the priviledge and benefite of Clergie and sanctuarie: Saving to the wife of such person, her title of Dowry, and also the heires and successours of such person, and all other person and persons, their heires and successours, all titles, rights, seignories, uses, profittes, escheates and hereditamentes whatsoever, of any estate of inheritance and otherwise, as though no such attayndour had been had or made.

Witchcraft
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And be it further enacted by the authority aforesaid, that if any person or persons after the said end of three Monethes next ensuing the end of the last Session of this present Parliament, shall use, practise, or exercise any witchcraft, enchantment, charme or sorcerie, whereby any person or persons shall happen to be wasted, consumed, or lamed in his or their bodie or member, or whereby any goods or cattels of any person shall be destroyed, wasted or impaired: then every such offendour or offendours, their counsellors and aydoers being thereof lawfully convicted, shall for his or their first offence or offences suffer imprisonment by the space of one whole yeare without bayle or maineprie, and once in every quarter of the said yeare, shall in some market towne, upon the market day, or at such time as any faire shall be kept there, stand openly upon the Pillorie by the space of six houres, and there shall openly confesse his or their error and offence, and for the second offence being as is aforesaid lawfully convicted or attainted shall suffer death as a felon, and shall lose the priviledge of Clergie and sanctuarie. Saving to the wife of such person, her title of Dowry, and also to the heir and successours of such person: and likewise saving to all other person and persons their heires and successours, all and singular his and their Rightes, Titles, Escheates, Uses, Profittes & hereditamentes whatsoever, of any estate of inheritance and otherwise, as though no such attayndour had been had or made.

If any per-
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Provided alwayes, that if the offendour in any of the cases aforesaid, for which the paines of death shall ensue, shall happen to be a Peere of this Realm: Then his triall therein to be had by his Peeres, as it is his Peeres, used in cases of Felonie or Treason, and not otherwise.

A Peere to
be tryed by
his Peeres.

And further, to the intent that all manner of practise, use or exercise of Witchcraft and Enchauntment, Charme, or Sorcerie should be from henceforth utterly aboide, abolished and taken away, be it enacted by the authority of this present Parliament, that if any person or persons, shall from and after the saided end of three Monethes next immediately ensuing the end of the last Session of this present Parliament, take upon him or them by Witchcraft, Enchauntment, Charme or Sorcerie, to tell or declare in what place any Treasure of Gold

Gold

declaring by
witchcraft
where any
thing is
hidden, pro-
curing un-
lawfull love
&c.

second of-
fence forfei-
ture of
goods and
chattels
and Impri-
sonment
during life.

Gold or Silber should or might be found or had in the Earth or other secret places or where goods or things lost or stolen should be found or become, or shall use or practise any Sorcerie, Enchaunement, Charme, or witchcraft, to the intend to provoke any person to unlawful love, or to hurt or to destroy any person in his or her body, member, goodes or chattels: that then every such person or persons so offending, and being thereof lawfully convicted, shall for the said offence, suffer imprisonment by the space of one whole yeare without bayle or mainprize, & once in every quarter of the said yeare, shall in some Market Towne, upon the market day, or at such time as any faire shall be kept there, stand openly upon the pillorie by the space of six houres, and there shall openly confesse his or her error and offence. And if any person or persons being once convicted of the same offence as is aforesaid, doe eftsoones perpetrate and commit the like offence, being thereof the second time convicted as is aforesaid, shall forfeit unto the Queens Majestie, her heyres and successours, all his goods and chattels, and suffer imprisonment during life.

CAP. III

An Act against forging of Evidences, &c.

Eng: ff: 5
El: cap: 14

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Forasmuch as the wicked, pernicious & dangerous practise of making, forging & publishing of false & untrue Chartours, Evidences, Deedes and Writings, hath of late time been verie much more practised, used, and put in ure in all parts of this Realm, than in times passed, not onely to the high displeasure of God, but also to the great injury, wrong, hurt, dammage, disherison and utter undoing of divers the Queens Majesties subjects of this Realm, and to the great subversion of Justice and truth, which seemeth to have grown and happened, chiefly by reason that the paynes and punishments limited for such great and notable offences by the Lawes and Statutes of this Realm before this time have been, and yet are so small, milde and easie, that such evil people have not been, ne yet are affrayde to enterprize the practising and doing of such offences: Be it therefore enacted by the Queens most excellent Majestie, with the assent of the Lordes Spiritual and Temporal, and the commons in this present Parliament assembled, and by authorizty of the same, That if any person or persons whatsoever, after the last day of this present Parliament, upon his or their owne head or imagination, or by false conspiracie and fraud with others, shall wittingly, subtilly & falsely forge or make, or subtilly cause, or wittingly assent to be forged or made, any false Deede, chartour or Writing sealed, Court Roll, or the will of anie person or persons in writing, to the intent that the state of freehold or inheritance of any person or persons, or in or to any lands, tenements, or hereditaments, freehold or copyhold, or the right, title or interest of any person or persons of, in or to the same or any of them shall be or may be molested, troubled, defeated, recovered or charged, or after the last day of this Parliament, shall pronounce, publish or shew forth in Evidence, any such false or forged Deede, Chartour, Writing, Court Roll or Will as true, knowing the same to be false and forged as is aforesaid, to the intent abobe remembred, and shall be thereof convicted, either upon action or actions of forgerie of false Deedes to be founded upon this Statute at the suite of the partie grieved, or otherwise, according to the order and due course of the lawes of this Realm, or upon bill or information to be exhibited unto the court of Castle Chamber, according to the order and use of the court, shall pay unto the partie grieved, his double costs and damages to be found or assessed in





in that Court where ſuch conviction ſhalbe, and alſo ſhall be ſet upon the Pillory in ſome open market towne or other open place, and there to have both his ears cut off, and alſo his noſtrils to be ſlit and cut, and ſeared with an hott yron, ſo as they may remaine for a perpetuall note or marke of his falſhood, and ſhall forfeit to the Queen our ſoveraign Lady her heirs and ſucceſſors, the whole iſſues and profit of his lands and tenements during his life, and alſo have perpetuall imprisonment during his life: The ſaid damages and coſts to be recovered at the ſuit of the partie grieved as is aforeſaid, to be firſt payed and levied of the goods and chattels of the offendor, and of the iſſues and profits of the ſaid lands, tenements and hereditaments of ſuch partie convicted, or of one or both of them, The ſaid title of our ſoveraign Lady the Queen, her heirs and ſucceſſors to the ſame notwithstanding.

And be it further enacted by the authoritie aforeſaid, that if any perſon or perſons after the ſaid laſt day of this preſent Parliament, upon his or their owne head or imagination, or by falſe conſpiration or fraud had with any other, ſhall willingly, ſubtilly and falſly forge or make, or wittingly, ſubtilly, and falſly cauſe or aſſent to be made and forged any falſe Charter, Deed or writing, to the intent that any perſon or perſons ſhall or may have or claime any eſtate or intereſt for term of years of, in or to any manors, lands, tenementes, or hereditaments not being copyhold, or any annuity in fee ſimple, fee taile, for term of life, lives or years, or after the ſaid day, ſhall as is aforeſaid, forge, make, or cauſe or aſſent to be made or forged, any obligation or bill obligatory, or any acquittance, releaſe or other diſcharge of any debt, accompt, action, ſuite, demand, or other thing perſonall: Or if any perſon or perſons after the ſaid laſt day of this preſent Parliament, ſhall pronounce, publiſh or give in evidencce any ſuch falſe or forged Charter, Deed, Writing, Obligation, bill obligatory, acquittance, releaſe or diſcharge as true, knowing the ſame to be falſe and forged, and ſhall be thereof convicted by any the wayes or means aforeſaid: That then he ſhall pay unto the partie grieved, his double coſts and damages to be found and aſſeſſed in ſuch Court where the ſaid conviction ſhall be had, and alſo ſhall be ſet upon the pillory in ſome open market towne, or other open place, and there to have one of his eares cutt off, and alſo ſhall have and ſuffer imprisonment by the ſpace of one whole yeare without bayle or mainprife.

And be it further enacted by authoritie aforeſaid, that the partie and parties grieved by reaſon of any the offences aforeſaid, ſhall and may at his and their pleaſure, have and ſue his action of forgerie of falſe deeds upon this ſtatute, againſt any of the offendors in the ſame, by originall writ out of the Queens highneſſe court of Chauncerie, and ſhall and may have like proceſſe upon the ſame as in caſes of treſpaſſe, at the common law, or may at his pleaſure take his ſuit againſt any ſuch offendors in any the premies, by bill, before the Queens highneſſe, her heirs and ſucceſſors in the Court Commonly called the Kings Bench, or in the court of the Exchequer, in which ſuits no Eſſoine, Injunction, Commaundement or Protection ſhall be allowed for the partie defendant.

And be it further enacted by the authoritie aforeſaid, that if the party defendant ſhall be convicted for any of the offences aforeſaid, according to the order and forme above limited, and ſhall, have received thereupon puniſhment corporall according to this Act: That then he ſhall not eſtſoons be impeached for the ſame offence.

Forging of
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And be it further enacted by the authoritie aforesaid, that although the partie or parties plaintife in any such action or bill to be sued as aforesaid, shall after verdict pass against the defendant or defendants happen to release or discharge the judgement or execution up on the same, or otherwise suffer the same to be discontinued: That yet neverthelesse, the same release, discharge or discontinuance, shall extend onely to discharge such costs and damages as the same plaintife should have had against the defendant: And that the Judges before whom the sayd action or suit shall be taken, shall and may proceed to judgement, of and upon the residue of the sayd penalties and forfeitures, and to commaund execution upon the same, The said release, discontinuance or other discharge had, made, done or suffered by the partie plaintife in any wise notwithstanding: This Act or any thing therein contain- ed to the contrary in any wise notwithstanding.

Second Of-
fence felony

And be it further enacted by the authoritie aforesaid, that if any per- son or persons being hereafter convicted or condemned of any the of- fences aforesaid, by any the wayes or means above limited, shall af- ter his or their conviction or condemnation estoones commit or per- petrate any of the said offences in forme aforesaid, that then every such second offence or offences shall be adjudged felony: And the parties being thereof convicted or attainted according to the lawes of this Realm, shall suffer such pains of death, losse and forfeiture of their goods, cattels, lands and tenements, as in cases of felony, by the com- mon lawes of this Realm, ought to be lost or forfeited, without having any advantage or benefit of Clergie or sanctuarie. Saving to eve- rie person and persons bodies politique and corporate, their heyres and successours, (other then the said offendours, and such as claime to their uses) all such Rightes, Titles, Interests, Possessions, Liberties, of distresses, Leases, Rentes, Reversions, Offices and other profits and advantages, which they or any of them shall have at the time of such conviction or attaindours, of, in or to any the Landes, Tenements or Hereditaments of any such person so as is aforesaid, convicted or attainted, or at any time before, in as large and ample manner to all intents and purposes, as if this Act had never bene had or made.

no forfeitur
of Dowry or
Corruption
of blood for
this felony.

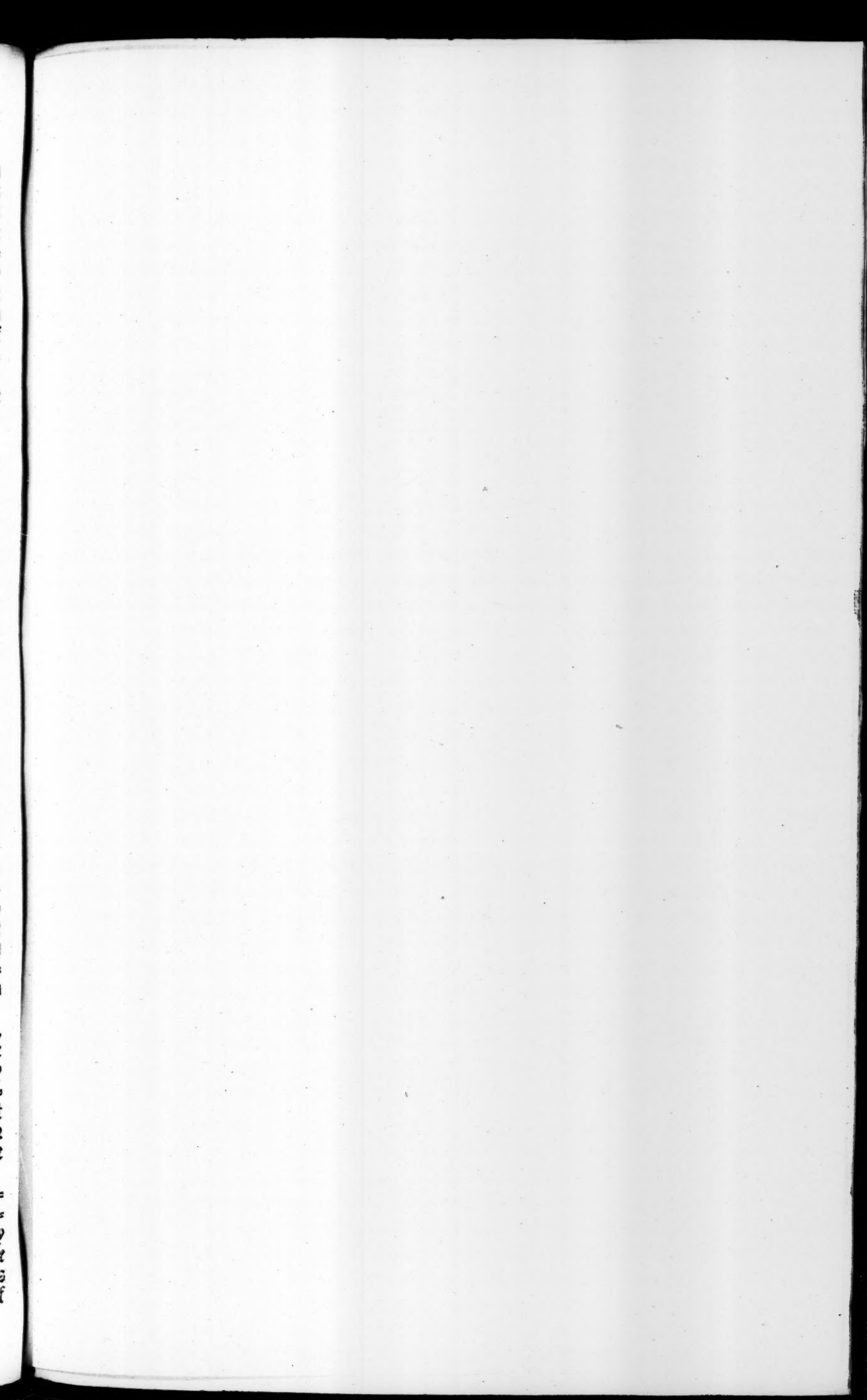
Provided alwayes, and be it enacted by the authoritie aforesaid, that any such conviction or attayndour of felony as is aforesaid, or any for- feitures by reason of the same, shall not in any wise extend to take a- way the Dowry of the Wife of any such person attainted, nor to the corruption of blood or disherison of any the heir or heires of any such person or persons so attainted: This Act or any thing therein contain- ed, or any other statute, lawe, usage, custom or thing heretofore used to the contrary in any wise notwithstanding.

Officials or
Registers
putting a
seal to a
will

Provided also and be it further enacted by the authoritie aforesaid, that this Act, or any thing therein containd, shall not extend to charge any ordinarie, or any their Commissaries, officials, registers, or any other their officers or ministers with any the offences aforesaid, for put- ting their seale of office to any will to be exhibited unto them, not knowing the same to be false or forged, or for writing of the said will or Probat of the same, This Act or any thing therein contained to the contrary notwithstanding.

what Ju-
dices may
hear and de-
termine
these Of-
fences.

And be it further enacted by the authority aforesaid, that all and eve- ry Justice of Oyer and Terminer, and Justices of Assise in their Cir- cuits, and every of them, shall have full power and authoritie in every of their open and generall Sessions, to inquire, hear and determine all and every the offences aforesaid committed or done within the limits
of





of their commiſſion, and to make proceſſe for the execution of the ſame, as they may do againſt any perſon being indicted before them of treſpaſſe, or lawfully convicted thereof.

And be it further enacted by the authoritiy aforeſaid, that all other ſtatutes heretofore made and provided for forgerie of falſe Deeds, Charters, Monuments or Writings, and all and every penaltie appointed by the ſame, ſhall from and after the ſaid laſt day of this preſent Parliament be voyd and of none effect in Law: Any ſuch ſtatute or thing therein contayned to the contrarie in any wiſe notwithstanding.

Provided alwaies, that this Act or any thing therein contained, ſhall not extend or be hurtfull in any wiſe to any proctor, advocat or Register of any Eccleſiaſtical court within this Realm, for the writing, ſetting forth, or pleading of any Proceſſ made according to the Eccleſiaſtical laws or Cuſtoms heretofore uſed & allowed by the Eccleſiaſtical Courts, for the appearance of any perſon or perſons being cited to appear in any of the ſaid Courts Eccleſiaſtical, nor to any Archdeacon or Officiall, for putting their authentick Seal to the ſaid Proceſſes or Proceſſes, neither yet to any Judge Eccleſiaſtical for admitting the ſame: But that they and every of them may hereafter doe in all points concerning the ſame as they and every of them might lawfully have done before the making of this Act, any thing in this Act to the contrarie notwithstanding.

Provided alwayes, and be it further enacted by the authoritiy aforeſaid, that if any perſon or perſons whatſoever, that hath of his or their owne head, or by falſe conſpiracie and fraud with any other, wittingly, ſubtilly and falſly forged or made, or ſhall before the ſaid laſt day of this preſent Parliament, forge and make any falſe Deed, Charter or Writing ſealed, or the Will of any perſon in writing or any Court Roll, to the intent that the eſtate of freehold or inheritance, or the right, title or intereſt of inheritance or freehold of any perſon or perſons, of, in or to any Manours, Lands, Tenements or hereditaments being freehold or copyhold by any ſuch forged Deed, Charter, Court Rolle or Writing, before the ſaid laſt day of this preſent Parliament, ſhall or may be moleſted, troubled or defeated of the ſaid eſtates of any Lands, Tenements or hereditaments being freehold or copyhold: Or if any perſon or perſons have heretofore publiſhed or ſhewed forth in Evidence, or before the ſaid laſt day ſhall publiſh or ſhew in Evidence for the prooſe of any title, any falſe or forged Deed, Charter, Writing, Will or Court Roll as true, knowing the ſame to be falſe and forged as is aforeſaid, to the intent above remembred, and ſhall be thereof attainted or convicted according to the order of the lawes of this Realm, either in action of forgerie of falſe ſuits, or in action upon the caſe, at the ſuit of the partie grieved, his heyres, executors and aſſignes: That then the partie ſo convicted, ſhall pay and yeeld damages and coſtes of ſuit to the plaintife, as ſhall be aſſeſſed, according to the order of the Lawes of this Realm, in any ſuchlike action or ſuit, and ſhall ſuffer impriſonment, and pay fine and ranſom at the pleaſure of the Queens Maieſtie, her heyres and ſucceſſours. And if any perſon or perſons ſhall after the ſaid laſt day of this preſent Parliament, plead, publiſh or ſhew forth in Evidence or otherwiſe, for the prooſe of any title, any falſe or forged Deed, Charter, Writing, Will, or Court Roll heretofore falſly made and forged, or to be falſly made and forged, before the ſaid laſt day of this preſent Parliament as true, knowing the ſame to be falſe and forged, to the intent to have or claim thereby any eſtate of inheritance, freehold or leaſe for years, in or to any

15: cap: 3
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forging of
deeds before
this ſtatute
or preſent
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or publiſh-
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ſame.

mannors, Lands, Tenements, vles, rents, or hereditaments, or any annuitie of rent or profite forth of any mannors, Lands, Tenements or hereditaments, or to the intent to alter, defeate, molest, trouble, charge or recouer the state of inheritance, freehold, or for years, of any person or persons, in any mannours, Lands, tenements or hereditaments: That then every person and persons that shall offend and shall be thereof convicted in forme first above remembred, shall pay unto the partie grieved, double costs and damages, and shall have imprisonment, lose of eares, diting and searing of nose, and forfeiture of Lands in the same manner and forme as above is limited, for any person that shall offend by forging and publishing of any false Deed or writing as is aforesaid, after the foresaid last day of this present Parliament.

a lawper or
attorney
pleading
a forged deed

Provided alwayes, and be it enacted by the authority aforesaid, that this Act, nor any pain, forfeiture or thing therein contayned, shall extend to any Atturney, Lawper, Counsellor that shall for his Client plead, shew forth or give Evidence, any false and forged Deed, Charter Will, Court-roll or other writing, for true or good, being not partie or privie to the forging of the same, for the pleading, shewing forth or giving in Evidence of the same any thing in this Act to the contrarie notwithstanding.

pleading
a writing
exemplified
or seting a
seal to the
same not
knowing it
to be forged.

Provided alwayes, and be it enacted by the authority aforesaid, that this Act or any thing therein contayned, shall not extend to any person or persons that shall plead or shew forth any deed or writing exemplified under the great Seal of England, or under the Seal of any other authentick Court of this Realm, nor shall extend to any Judge or Justices, or other person that shall cause any Seal of any Court to be set to any such Deed, Charter or Writing enrolled, not knowing the same to be false or forged, any thing in this Act to the contrary notwithstanding.

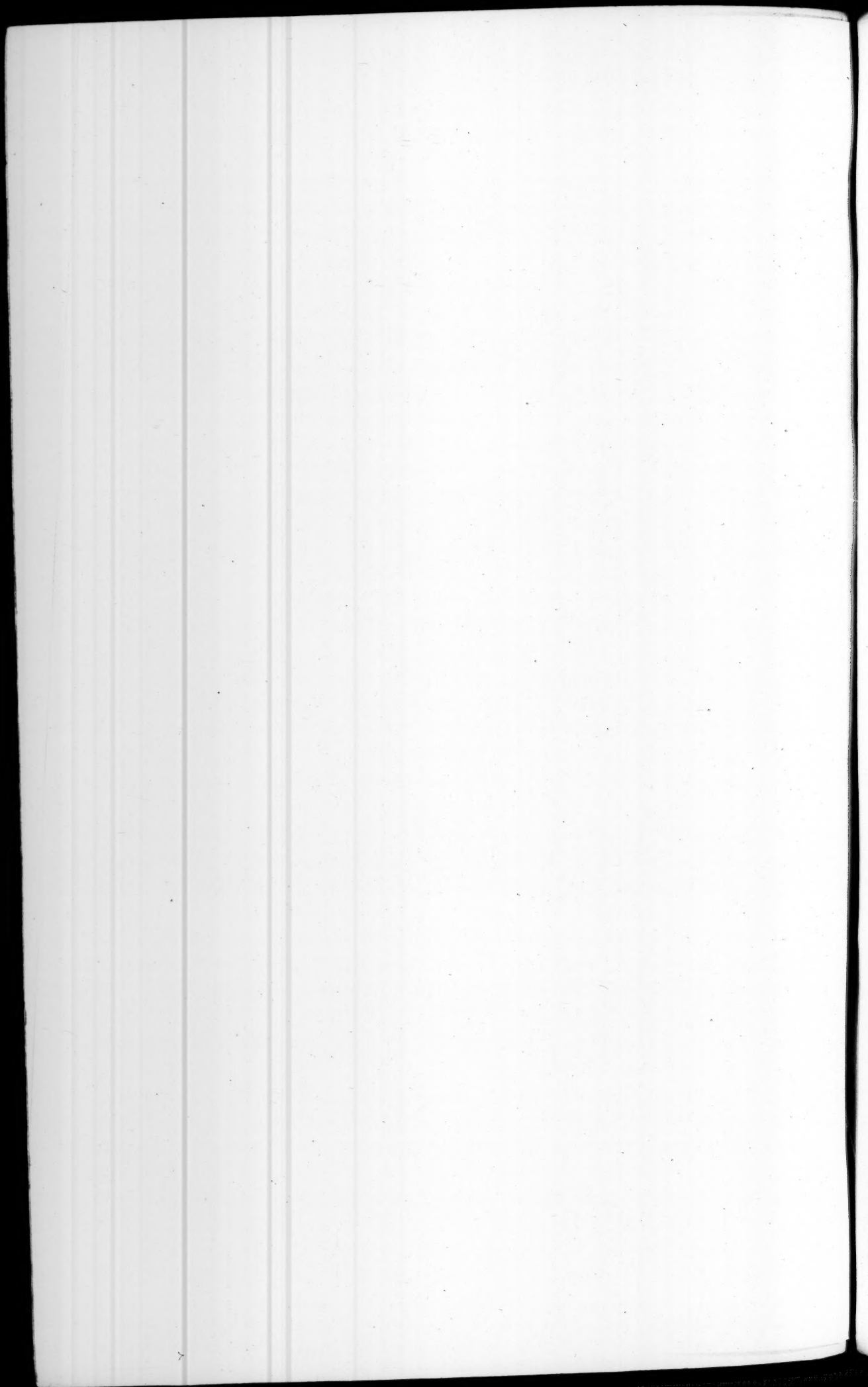
CAP. IV.

An Act of Impost and Customes of Wines.

Impozitati-
on of wines
their prices
Customs &
place of dis-
charge.

The Lords Spiritual and temporal, and the Commons in this present Parliament assembled, considering with no small grief of mind, the great lacke of a Rable within this Realm, which is occasioned by the sluggardie, idleness and untowardness of the Merchants and Traffiquers thereof, and how by that default this Realm is brought to be of no abilitie or strength to defend it selfe against the enemies, Pirates and Robbers that doe accustomably annoy the same: And also advisedly calling to memorie divers intollerable enormities that have followed of the disordered trade of Aliens to Creekes and unhaunted Portes and places of this Realm, leaving the chiefe and principall Cities, Borowghes, Townes and Portes of defence wherby the same Realm hath ever been, and presently is chiefly upholden, staied and maintained, to the great losse of the Queenes Majesties customes due of their charge and loading, for lacke of order in such places for the receipt thereof: Understanding also the pitiful and rufull minishing of the Queenes Majesties revenues in this Realm, together with the innumerable charges that her highnesse hath been and daily is at, by exhausting her Princely Treasure, for the defence and good reduction to Civilitie of this Realm: And weighing by long experience, how that by the superfluous abundance of Wines that are yearely discharged within this Realm, grievous decay of tillage and husbandrie, Idleness the mother of all vices, rage and furie in the mindes of the disordered people, and other monstrous en-
ormities





ozmities hath been perniciously bred and nourished, beside the great spoile of subjects goods that followed by reason that no provision hath been hitherto made for the sale of the same Wines that are so conveyed and brought into this Realme, all which fores and mischiefs doe require present help, remedie and due reformation to be had with good, prudent and careful provision and foresight: In consideration whereof, the said Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, most humbly beseechen the ^{Enacting} Queenes Royal Majestie, that it may be enacted by her highness, ^{part} with the assent of the Lords Spiritual and temporal, and the commons in this present Parliament assembled, and by the authority of the same, that no manner person of what degree or condition that he be, being subject, Denizen or Alien, shall discharge any manner of wines within this Realm of Ireland, but onely within the Havens and Portes of the Cities, townes and places hereafter mentioned, viz. The City of Dublin, Waterford, Corke and Limericke: The townes and places of Drogheda, Galway, Youghall, Carrigfergus, ^{in what} Waterford, ^{Havens} Rosse in the county of Wexford, Kingsale, Dungarvan, Dundalke, ^{Wines shall} Carlingford, Sligo, and Dingle Iconsell otherwise called Dingle, ^{be discharg-} ed. ^{ed.} bullie, and in no other Porte, Creeke, Haven, Road or places within this Realm of Ireland, without the special licence of the Queenes Majestie, her highness heires or successours, or of the Lord Deputy or of her governor or governors of this Realm for the time being to be given or made in that behalf, upon pain to forfeit the same wines so discharged contrary to this Act without licence as before is specified, the one halfe thereof to the Queenes Majestie, her heires and successours, ^{forfeiture of} and the other halfe to him or them that shall seise the same ^{the Wine} ^{if discharg-} ^{ed in other} ^{places with-} ^{out licence.} Wines.

Provided alwayes, that this Article, braunch or clause of this Act, shall not extend to any ship or ships having any such Wines, that shall be constrained by tempest of Weather, or enemies, to arrive or discharge in any other Porte or place in this Realm then is before appointed, or that hereafter shall by licence as aforesaid, be appointed or warranted, so that the owners of the said Wines or any for them or to their use, make thereof no sale within this Realm, other then for victuals or repaying of the same ship or ships, or calking thereof, which they of necessity be compelled to make.

And be it further enacted and established by the authority aforesaid, both for the better increase and augmentation of her Majesties revenues in this Realm, and also to stay the superfluitie of Wines conveyed, that her highness her heires and successours shall have and receive for the space of ten years next ensuing this present Parliament, as a Custom or Subsidie of every tunne of Spanish, Levant or Canare Wines that shall be brought into this Realm by way of Merchandise in any ship or ships, or other vessell whereof our said Sovereigne Lady or any of her highness loyall & natural Subjects shall be at any time of such conveyance and bringing into this Realm, verie and true owner, possessor and propriatorie, without cobin, deceit, craft or collusion, the summe of forty shillings lawfull money of Ireland: And of every Tunne of Wine growing in Fraunce, Guyen, Gascoigne or Rochell that shall come into this Realm by way of Merchandise by any person in any ship or ships or other vessell, whereof our said Sovereigne Lady or any of her highness loyall and naturall subjects shall be at any time of such conveyance and bringing into this Realm verie and true owner, possessor and propriatorie, without cobin, deceit, craft, or collusion,

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for french
wines.

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spanish
wine
imported in
a forain
ship

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tunn for
french
wine im-
ported in
any ship
whereof the
kings sub-
ject is not
owner and
how to be
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forfeiture
of the
wines if
landed be-
fore Cu-
stoms paid
or agreed for

the deputie
to have
twenty
tunne Cu-
stome free.

and to limit
what ebery
Peer, pribye
Councelloz
and Kings
Council
shall have
Custom free

lusion, the summe of twentie six shillings eight pence lawfull mo-
ney of Ireland: And of ebery Tunne of Spanish, Levant, or Ca-
nare Wines that shall be brought into this Realm by way of Mer-
chandise by any person, in any ship or shippes, or other vessel, whereof
our said soveraign Lady or any of her highnesse loyal & natural sub-
jects shall not be at any time of such conveyance and bringing into
this Realm verie true owner, possessor or propriatorie, without co-
bin, deceite, craft or collusion, the summe of fiftie three shillings
four pence currant money of Ireland: And of ebery Tunne of Wines
growing in Fraunce, Guyen, Gascoigne or Rochell, that shall come
into this Realm by way of Merchandise, being brought by any per-
son in any shippe or shippes or other vessel, whereof our said sove-
raign Lady or any of her highnesse loyall and naturall subjects shall
not be at any time of such conveyance and bringing into this Realm
very true owner, possessor and propriatorie, without cobin, deceit,
craft or collusion, the summe of fortie shillings lawfull money of
Ireland, to be levied taken and perceived by the customers, Collectors,
and other her highnesse officers for receivng of the Custome in the
Ports, Havens or other places above limited, or hereafter to be ap-
pointed for discharge in manner before recited in this Act.

And further be it enacted by the authoritie aforesaid, that if any
Wines whereof the Customes or Subsidies aforesaid or any of them
shall hereafter be due by the tenor of this Act, shall at any time here-
after be discharged and laid on land, the Customes or Subsidies of
the premises due by this Act not payed, or the Collectors of the same
Customes or Subsidies, or his deputie with and by the consent, know-
ledge and agreement of the Comptrolloz or Surveioz or one of them
at the least, not agreed with for the same in the Custome house, accor-
ding to the true meaning and intent of this Act: Then all the said
Wines and ebery part and parcell thereof so laid on land and discharg-
ed, shall be and remaine forfeit to her Majestie, her heyres and suc-
cessors, the one moietie or value thereof to her highnesse, her heires and
successors, and the other moietie to him or them that shall seise the
same or sue therefore in manner aforesaid, in which suit no wager
of law, Essoine or Protection shall be admitted or allowed.

Provided alway and be it enacted by the said authoritie, that the
Lord Deputie or other governour or governours of this realm for the
time, shall have yearly for the provision and store of his house of such
Wines as shall be brought & conveyed by way of merchandise into this
Realm, the number of twentie tunnes free and discharged of the Cul-
tome or Subsidie graunted by this Act: And that the said Lord De-
putie or other governour or governours of this Realm for the time
being, shall also by the said authority have full power to graunt,
limit and appoint unto ebery Peere of this Realm, and to ebery of the
pribye Counsell in the same, and the Queens learned Counsell for the
time being, at his or their discretion from time to time, such portion
and quantitie of Wines to be free and discharged of and from the said
Custom and Subsidie, as he shall thinke to be meete and competent
for ebery of them after their degrees and callings to have, any thing
in this Act contayned to the contrary notwithstanding.

And for the better order to be from henceforth observed and kept in
the sale of Wines, by retayle or in grosse within this Realm, Be it
enacted by the authority of this present Parliament, that the Lord
Deputie or other governour or governours of this Realm for the time
being, the Lord Chauncelloz or Keeper of the great Seal of this
Realm

Realm, the two chief Justices of eyther Bench in this Realm, the Chauncellour and chief Baron of the Exchequer of this Realm for the time being, or five, foure, or three of them, whereof the Lord De-
 putie or other governour or governours, or the Lord Chauncelloz or
 keeper of the great seal in this Realm for the time being, to be always
 one, shall have power and authoritie by their discretions to set and
 rate yearely the prices of all kind of Wines, that is to say, the prices
 of tunn, Butte, Pype, Hogthead, Puncion, Tierse or Rundlets when
 it shall be sold in grosse, and also to set and rate yearely the prices of
 Wines hereafter to be sold by retayle, any time within the Hillarie
 Term, and at no other time or times of the yeare, so that they or any
 of them cause the prices by them set downe and rated to be written,
 and open Proclamation thereof to be made in the Queens Court of
 Chancery of this Realm, openly in the Term time or within forty
 dayes after in the City, Borough, Towne or place, where any such
 Wines shall be sold in grosse or by retayle.

And it is further enacted by the said authority, that if any person
 or persons after such prices shall be set and put in writing by the said
 Lord Deputie or other governour or governours, Lord Chauncelloz or
 keeper of the great seal, the two chief Justices, the Chauncelloz and
 chief Baron of the Exchequer, or five, foure, or three of them, and
 Proclamation thereof made as is aforesaid, do sell any Wines in grosse
 or by retayle by any fraud or cobin contrarie to the said prices so set and
 proclaymed: that then everie offendour in that behalfe shall lose and
 forfeit for every time that he shall offend, the double value of the
 Wines so solde contrarie to the said prices: The one halfe of all which
 forfeitures to be to the Queen our Soberaigne Lady, her heirs and
 successors, and the other halfe, if it be within any City, Borough or
 Towne corporate, to be to the Mayor, Sheriffes, Bayliffes or other
 head rulers of such City, Borough, or Towne corporate, to the use of
 the Corporation. And if it be without City, Borough or Towne cor-
 porate, then to be to such of the Queens subjects as will sue for the
 same: And that every such forfeiture shall be recovered by originall
 Writte of debt, Bill, Plaint or Information, in which suit no Waiver
 of law shall be admitted, nor any Protection or Elloyne allowed.

And it is also enacted, that the Justices of Peace of every Shire of
 this Realm, and all Mayors, Bailifes and other head officers in
 City, Borough and corporate Townes, that is to say every of them
 with in the limitts of their Commissions and authoritie, as well
 within Fraunchises as without, shall have power and authority to
 examine, heare, enquire and determine the faults of such as shall at-
 tempt to doe any thing contrary to the tenour of this Act, or to any
 the severall Articles or bzaunches of the same, and to punish the of-
 fendours as the Statute doth appoynt and prescribe.

Provided alwayes, and be it enacted by the authority aforesaid, that
 this Act or any thing therein contained, shall not extend to charge
 any person or persons with any penaltie or forfeiture for a concerning
 any offence to be done contrary to the tenor of this Act, or of any the
 severall articles or branches of the same, unless he or they so offending be
 sued, indicted, impeached or presented for the same within one halfe year
 next after the said offence shall be done and committed as is aforesaid,
 any thing in this Act contayned to the contrarie notwithstanding.

Provided alway, that this Act shall not extend to any person or
 persons that shall buy or cause to be bought any wines in any the Ports,
 Havens or places before in this Act appointed for discharge, or hereafter
 by

power to
set the pri-
ces of wine

sale contra-
ry to the
rate set
forfeitur
of double the
value.

who shall
have the
forfeitures.

before
whom In-
quiry shall
be made

when to be
made

at what
time this
Act shall be
in force.

by licence or graunt to be appointed in maner and order aforesaid, but that the same persons their servants and agents shall and may convey the Wines so bought, by water and by land to his and their house and dwelling place and places within this Realm: any thing within this Act to the contrarie notwithstanding.

this act not
to be preju-
diciall to the
Collectors
ac.

Provided alway, and be it enacted by the authority aforesaid, that this Act nor any thing therein contained, shall not be prejudiciall or hurtfull to any Patentee or Patentees of any the office or offices of Collectorship, Receivorship or Comptrollership of the said Impost or Subsidie upon Wines, or of the Butlership or price Wines, but that every of the said Patentee or Patentees shall enjoy the benefit of their Patent or Patents, according to the intent and true meaning of the same, as though one former statute entituled An Act giving order for bringing in of Wines into this Realm, where they shall be discharged, who shall rate the prices of them, and also for graunting of our Custome out of the same Wines, made in the eleventh year of the raigne of the Queens most excellent Majestie, and now expired, were still in force and perpetuall continuance: any thing in this present Act containned to the contrarie notwithstanding.

11 Cl:
cap 11

not to be
prejudiciall
to a lease
of the Cu-
stoms made
to Henry
Bronckard

Provided alway, that this Act or any thing therein containned, shall not be prejudiciall to a lease made by the Queens Majestie, to Henry Bronckard Esquire, for term of years yet unexpired, of the Custome and Subsidies of Wines due to her Majestie before the making hereof, but that the same shall stand in full force and effect according to the contents thereof: any thing in this Act to the contrary notwithstanding.

four months
time for the
payment of
the impost

And be it further enacted by the authoritie aforesaid, that everie such Merchant or Merchants bringing Wines to any Port or Haven within this Realm in manner and forme aforesaid, shall have the time and space of foure moneths next after the entry made of the ship and Wines so brought into this said Realm, for the payment of such Impost as shall be due for the same unto her Majestie, upon sufficient bond and suretie to be taken by the Collector Comptrolor or lessee of the said Impost for the time being, for the true payment thereof at the times and dayes expressed.

this act not
to be pre-
judiciall to
a lease
made to Sir
Nicholas
Bagnall.

Provided also, that this Act nor any thing therein containned, shall not be prejudiciall or hurtfull to a lease made by the Queens Majestie to Sir Nicholas Bagnall Knight, for divers years yet unexpired, of the Custome and Subsidie of Wines due to her Majestie within the Port of Carlingford, but that the said Sir Nicholas and his assigns may enjoy the benefit of the said lease, any thing in this present Act containned to the contrarie notwithstanding.

C A P V.

An Act concerning the avoyding of fraudulent conveyances,
made by the late Rebels in Ireland.

concerning
fraudulent
convey-
ances.

V Here it hath been, and is very much bruted and published abroad, and by sundry persons pretended, that divers and many of the rebels and persons in and by this present Parliament, and in this Session of the same Parliament attainted of treason, after they had intended and purposed to enter into their ungodly and devilish practices of rebellion and Treason, did make and cause to be made diverse secret and fraudulent estates and conveyances of their Lands, Tenements, uses and hereditaments, to the intent thereby to defraude the Queens Majestie of such forfeitures of their lands, tenements, uses & hereditaments, as her highness by reason of their several



ſeverall Treasons ſhould be intituled to have: And for as much as the ſaid pretended fraudulent eſtates and conveyances are yet kept ſecret, and not openly publiſhed, and in time to come may be very dangerous and likely to tend to diſherite the Quænes Maieſtie, her heyres, ſucceſſors and aſſignes of their eſtate and intereſt in ſuch Lands, Tenements, and hereditaments, as her Maieſtie and her aſſigns now have and ought to have, by reaſon of the ſaid attaindours, unleſſe ſome proviſion be made, that ſuch ſecret eſtates, conveyances and aſſurances may in ſome due and convenient time be openly publiſhed and brought to light: For remedie whereof, be it enacted by authority of this preſent Parliament, that every perſon and perſons, bodies politique and corporate, their heyres, ſucceſſors or aſſignes, which have, haſh, or claymeth to have any eſtate of inheritance, leaſe, uſe, rent, common, or other proſite not already entred of record or certiſied into the Quænes Maieſties Court of Erchequer in this Realm of Ireland, of in or to any honours, Caſtles, manors, landes, tenements, uſes or hereditaments, by any graunt, aſſurances, or conveyances whatſoever had, made or done by any of the ſaid rebels and perſons attainted as aforeſaid, or by any ſeyled to any of their uſe or uſes at any time within thirteene yeares next before the beginning of this preſent Seſſion of Parliament, ſhall within one yeare next enſuing the making of this Act, openly ſhew and bring forth or cauſe to be ſhewed and brought forth into the Quænes Maieſties ſaid Court of Erchequer, the ſame his or their graunt, conveyance and aſſurance, which he or they have or haſh or pretended to have of, in or to any the ſaid honours, caſtles, manors, lands, tenements, uſes or hereditaments, and there in the term time, ſhall offer and exhibite the ſame graunt, conveyance and aſſurance to be entred and enrolled of Record, or elſe every ſuch graunt, conveyance and aſſurance ſo had and made by any of the ſaid rebels and perſons attainted as aforeſaid, or by any other ſeiled to any their uſe or uſes and not ſo brought into the ſaid Court of Erchequer and there exhibited within the yeare aforeſaid, ſhall be utterly voyde and of none effect to all intents and purpoſes, any thing in the ſame conveyance contayned to the contrarie notwithstanding.

And be it further enacted by the authoritie aforeſaid, that the Treasorer, Chauncelloz and Barons of the ſaid Court of the Erchequer or any of them upon every ſuch offering and exhibiting of any ſuch graunt, conveyance and aſſurance hereafter in forme aforeſaid to be made, ſhall forthwith cauſe the ſame offer to be entred of Record, & ſhall likewiſe cauſe the ſame conveyance and aſſurance in the ſame Court to be entred and enrolled of Record without any fee or reward to be taken or had of the partie for the doing thereof: And after ſuch offer made and recorded, it ſhall and may be lawfull for every perſon which hereafter ſhall ſo exhibit and offer any ſuch graunt, conveyance and aſſurance into the ſaid Court of Erchequer, at his Libertie and pleaſure at all times within one yeare then next following, to produce and bring ſuch teſtimony prooves and witneſſes into the ſaid Court of Erchequer there to be examined, as he can for the better proove of the ſaid grant and aſſurance to be made (bona fide) and without any fraud or robin: And yet nevertheles, if at any time after upon any information upon that caſe, or other information to be preferred and exhibited into the ſaid Court of Erchequer, for and on the behalf of our ſaid ſovereign Lady the Quæen, her heyres or ſucceſſors, or upon any action upon that caſe or ſuite to be proſecuted by any the Patentees of the Quænes Maieſtie her heires or ſucceſſours, or by any the heires or aſſignes of any of

the conveyances to be exhibited within a year into the Erchequer

there to be entred on record.

the party may there produce witneſſes for the proof thereof.

of the ſame Patentees, it ſhall happen to be ſufficiently tryed and proved by verdict of twelve men, according to the common courſe of the lawes of this Realm, that any of the ſaid eſtates, aſſurances and conveyances made by any of the ſaid Rebels and perſons attainted as aforeſaid, was made upon any fraud or covin, to the intent thereby to defraud the Quænes Maieſtie of ſuch forfeitures as might have grown or comen to her highneſſe by reaſon of any of the ſaid attaindours: That then every ſuch eſtate, conveyance and aſſurance ſo tryed and ſufficiently proved as aforeſaid, to be had and made by and upon ſuch fraud or covin, ſhall be utterly void and of none effect to all intents, conſtructions and purpoſes, untill ſuch time as ſuch triall by verdict ſhall be lawfully undone by attaint or otherwiſe, any thing in the ſaid conveyances to the contrarie thereof in any wiſe notwithstanding. Saving to all and every perſon and perſons, and Bodies politique and corporate their heires & ſucceſſours, & to the heires & ſucceſſors of every of them (other then the ſaid Rebels & perſons attainted as aforeſaid, and their heires and the heires of every of them, and all and every other perſon & perſons, having or clayming any thing in the ſaid Honours, Caſtles, Manors Lands, Tenements and other the premiſſes or any part thereof, to their uſes or to the uſe of ſome or any of them, or to the uſe of any their ſaid heires, as heires to them, or any of them, and other then ſuch perſons and their heires as be or have been parties or privie to any eſtates or conveyances made by fraude or covin as is aforeſaid, and other then ſuch as ſhall not exhibite and ſhew forth their ſaid graunts, conveyances and aſſurances in the ſaid Court of Exchequer within the time to them before in this Act limited) all ſuch eſtate, right, title and intereſt, as they or any of them have, of, in or to any of the ſaid Honours, Manors, Landes, Tenements, uſes and Hereditaments, or any parcell thereof, in as large and ample manner and form, to all intentes and purpoſes, as if this Act had never been had or made.

ſaving.

not to extend to
leaſes for
life or years
buiſal letten
before the
ſaid leaſe.

Provided alſowayes, that this Act or any thing therein contained ſhall not extend to any leaſe for life, lives or years, made before the ſeverall treaſons aforeſaid committed, of any Lands, Tenements or hereditaments moſt commonly uſed to be letten to farm within the ſpace of twenty years before the making of the ſame leaſe, ſo as the ſame leaſe exceed not the terme of one and twentieth years, or three lives from the time of the making of the ſame leaſe, & that thereupon the buſial accuſed yearly rent or more be reſerved, nor ſhall extend to any eſtate by copy of any Lands or Tenements made according to the cuſtome of any mannor, whereof the ſame is parcel at any time before the ſaid ſeverall treaſons committed.

CAP. VI.

An Act againſt forging and counterfeitſing of forrein Coyne &c.

Counterſit-
ting forrein
coyne miſ-
pziſſion of
treason.

FOrasmuch as by the lawes or Statutes of this Realm, ſmall or no condigne puniſhment is at this time provided for ſuch evil diſpoſed perſons, as ſhall counterſit or forge ſuch kind of gold or ſilber of other Realms, as is not the proper coyne of this Realm, nor currant in payment within this Realm, by reaſon whereof divers evil diſpoſed perſons, as well without this Realm, as within, are encouraged and boldened daily to counterfeitte or forge ſuch kind of gold and ſilber and utter the ſame in this Realm, in great decay of her Maieſties ſubjects: Be it enacted by our ſoveraigne Lady the Quænes Maieſtie, the Lords Spirituall and Tempozall, and the Commons in this preſent Parliament aſſembled, and by the authority of

of the same, That if any person or persons hereafter falsly forge or counterfeyt any such kind of coyne of gold or silber, as is not the proper coyne of this Realm, nor permitted to be current within this Realm, that every such offence shall be deemed and adjudged misprision of high treason, and the offenders therein, their procurers, aydoers and abettors being convicted, according to the lawes of this Realm of such offences, shall be imprisoned, and forfeit such lands, goods and chattels, as in cases of misprision of treason or concealment of high treason.

CAP. VII.

An Act for the attainder of the late Earle of Desmond; and others mentioned in this Act.

In their most humble wise beseechen your most excellent Majestie, ^{Attainder of the Earle of Desmond and others.} the Lords Spirituall and Temporall, and all other your loving and obedient subjects, the commons of this your most high Court of Parliament assembled, That whereas Gerrot Fitz Gerrold late Earle of Desmond, Sir John Fitz Gerrold knight, ^{alias} Sir John of Desmond knight, Sir James Fitz Gerrold knight, ^{alias} James ne Dynnoll, ^{alias} Sir James of Desmond knight, James Fitz Morice of Desmond, ^{alias} James Fitz Morice Gentleman. James Fitz John Fitz John of Desmond of the Currens in the countie of Kerie Gent. Thomas Fitz John Fitz John of Desmond of the Currens aforesaid Gent. Ceige mac Dermot, mac Cormack, mac Cartie of Mollaeffe in the said county of Kerie Gent. Rozy Odonogh Gent. ^{alias} Odonogh Moore of Rollidonogho in Desmond in the said countie of Kerie Gent. Nicholas mac Shane Piers Gent. ^{alias} mac Shane of Clanary in the same countie of Kerie Gent. Thomas Browne of the new Towne in Clanmonulbe in the same countie of Kerie Gent. Finin mac Cormock of the sept of Claudermot in Desmond in the same countie of Kerie Gent. Thomas Fitz David Gerrold of Ardengragh in the same countie of Kerie Gentleman. Richard Fitz Thomas Gent. ^{alias} mac Thomas of the Palace in the countie of Limerick Gent. David Fitz Gerrold of the great Woode Gent. ^{alias} David Encorize in the same countie of Limerick Gent. Morogh O Brian of Aberlogh in the same countie of Limerick Gent. Hugh Male Gent. ^{alias} Faltagh Odon Moylen in the same countie of Limerick Gent. Nicolas Fitz Williams of courtmatraskie in the same countie of Limerick Gent. Thomas Cam Gentleman, ^{alias} Thomas mac Shane of Balletabzed, ^{alias} Goztenetibord in the same countie of Limerick Gent. and Lord of Clebligh, Thomas mac Gybbon of Mahawagh in the same countie of Limerick Gentleman, John Supple of Kilmako in the same countie of Limerick Gent. Cormock Downe mac Cartie of Glaucrine in the countie of Corke Gent. Conoco Omahonye of Kibelmeeke in the same countie of Corke Gentleman. Gibbon Roe mac Shane of the great Wood in the same countie of Corke Gent. Morice Fitz Gerrot of the Shian in the same countie of Corke Gent. James Fitz Morice of the Shian aforesaid in the same countie of Corke, Gent. Donnel mac Conno Omahowone of Rosebryne in the same countie of Corke Gent. James mac Shane mac Gerrot Gent. ^{alias} James Fitz John Gerrot of Strenecally in the countie of Waterford Gent. Morice mac Gerrot mac en Earle of Shian in the same countie of Waterford Gent. Richard Fitz John Fitz Morice of Knockmean in the same countie of Waterford Gent. Morice Fitz John of Knockmean aforesaid in the same countie of Waterford Gent. Gerrot Brack of Molcope in the same countie of Waterford Gent. Brian O Brian

ne Carrege of Kilcomerie, alias Comeragh in the same countie of Waterford Gent. Morogh O Brian of Dongrotte in the countie of Tipperary Gent. Walter fitz John Bourke of Knockneden, alias of the Cappagh in Muskery Curke in the same countie of Tipperarie Gent. John fitz Walter Bourke of Ballingurtin in the same countie of Tipperary Gentleman. Gessry Bourke of Kilenkaskie in the same countie of Tipperary, Thomas fitz John Bourk of Cowley in the same countie of Tipperary, Gent. John mac William mac Tibbot Bourk of Clantwilliam Coshury in the same countie of Tipperarie Gent. most falsly and trayterously some of them by open rebellion in divers parts of your Majesties Realm of Ireland, and the others by sundrie confederacies and conspiracies and other overt facts have committed perpetrated and done many detestable and abominable Treasons against your highnesse, to the great perill and daunger of the utter destruction and overthrow of the good estate and publique peace of this your said Realm of Ireland, if God of his infinite goodnesse had not in due time opened and revealed, to your highnesse their trayterous intents and purposes, and discomfited them in the same: It may please your highnesse of your most gracious and accustomed goodnesse, and for the entire love, favour and heartie affection that your Majestie hath alwayes heretofore borne and yet beareth to the common-wealth of this your said Realm of Ireland, and for the good preservation of your most excellent Majesties government of the same, and of the good peace, unitie and rest of all us your most bounden and obedient subjects thereof, to graunt and assent at the humble suit and petition of your said loving and obedient subjects, the Lords spirituall and temporall, and the commons in this present Parliament assembled, that it may be enacted by the authoritie of this present Parliament, that the said Gerrot fitz Gerrold late Earle of Desmond, Sir John fitz Gerrold knight, Sir James fitz Gerrold knight: James fitz Morice of Desmond, James fitz John fitz John of Desmond, Thomas fitz John fitz John of Desmond, Teige mac Dermot, mac Cozmock mac Cartie, Rozev Odonogho, Nicholas mac Shane Piers, Thomas Browne, Fynine mac Cozmacke, Thomas fitz David Gerrold, Richard fitz Thomas, David fitz Gerrold, Morogh O Brian, Hugh Wale, Nicholas fitz William, Thomas Cam, Thomas mac Gibbon, John Supple, Cozmocke Downe mac Cartie, Conoco O mahony, Gymbon Roe mac Shane, Morice fitz Gerrot, James fitz Morice of the Shian, Donell mac Cono O mahowne, James mac Shane mac Gerrot, Morice mac Gerrot mac en Earle of Shian, Richard fitz John fitz Morice, Morice fitz John, Gerrot Bracke, Brian O Brian ne Carege, Morogh O Brian, Walter fitz John Bourk, John fitz Walter Bourke, Gessrey Bourke, Thomas fitz John Bourke, and John mac William mac Tibbot Bourke, and all and every of them for their said abominable and detestable Treasons by them and every of them most abominably and trayterously committed, perpetrated and done against your highnesse and this your said Realm of Ireland, be and shall be by authoritie of this present Act convicted and attainted of high treason: And that as many of the said offenders and persons before named, as be yet in life and not pardoned for the same offences, shall and may at your highnesse will and pleasure, suffer paines of death as in cases of high treason: And that the said Earle of Desmond and all and every of the said offenders and persons by this present Act attainted, for their said treasons shall lose and forfeit to your highnesse and to your heires and successors, all and every such Honours, Castles,

Mannors, Meſſuages, Lands, Tenements, Rents, Reberſions, Remainders, Poſſeſſions, Rights, Conditions, intereſſes, Offices, Fe's, Annuities, and all other their hereditaments, Goods, Chattels, Debts and other things of what ſoever names, natures or qualities they be, which they or any of them had to their or any of their uſe or uſes, or which they or any of them, with any other had to their or any of their uſes, or which any other had to their or any of their uſes on any the daies of their ſaid ſeverall Treasons Committed, perpetrated or done, or at any time ſithence. And that all and ſingular the ſaid honours, Caſtles, Mannors, Meſſuages, Lands, Tenements, Rents, Reberſions, Remainders, Poſſeſſions, Rights, Conditions, Fe's, Annuities and all other hereditaments, goods, Cattels, Debtes and other the premiſſes by this Act be, and ſhall be deemed, beſted and judged to be in the actuall and reall poſſeſſion of your Maieſtie, without any office or inquiſition thereof hereafter to be taken or found. And that concerning ſuch and ſo many of the offendours aforeſaid, as before this Act were attainted of treaſon for any of their ſaid offences, either by outlawry or by verdict and judgment thereupon given by the laws of this Realm of Ireland, every of the ſame their outlawries and attaindours be and ſhalbe approved and confirmed by authoritie of this preſent Act. Saving to all and every perſon and perſons, bodies politique and corporate, and to their heires, ſucceſſours and aſſignes, and every of them, (other then the ſaid earle of Deſmond and other the ſaid offendours and their heires, and the heires of every of them clayming any thing in the ſaid honours, Caſtles, Mannors, Meſſuages, Lands, Tenements and other the premiſſes or any part thereof, as heire or heires to and from them or any of them, and all and every other perſon and perſons clayming or having any thing in the ſayde honours, Caſtles, Mannors, Meſſuages, Lands, tenements and other the premiſſes or any part thereof to their uſes, or to the uſe of ſome or any of them, or to the uſe of any their ſaid heires, as heires to them or any of them) all ſuch right, title, uſe, poſſeſſion, Intereſt, Reberſions, Remainder, entrie, condition, fe's, Offices, Rents, annuities, leaſes, commons, Action, ſuit, petition, execution and all other hereditaments, and all actions and means to recover or obtaine the ſame whatſoever, which they or any of them had or ought to have in the premiſſes or any part thereof before the ſaid ſeverall treaſons by the ſaid ſeverall offendours committed or done, in as large and ample manner, to all intentes and purpoſes, as if this Act had never been had or made, any thing therein contayned to the contrarie thereof notwithstanding.

Prohibited alwayes, & nevertheleſs be it enacted by the authoritie aforeſaid, that this act or any thing therein contained, ſhall not in any wiſe extend to make void any Grant, Gift, Leaſe or Demiſe, made by our ſo-berainge Lady the Queene, of any of the ſaid honours, Caſtles, mannors, Lands, Tenements or hereditaments to any perſon or perſons, by Letters pattents under the great Seal of Ireland, at any time or times, ſithence the ſaid Treasons committed: But that the ſame Gifts, Grants and Leaſes, and every of them ſhall ſtand and be of ſuch like force and effect in the law to all intentes and purpoſes, and of none other or better force, but as if this Act had never been had or made, any thing in this Act contained to the contrary thereof notwithstanding.

And be it alſo further enacted, that this act or any thing therein contained, ſhall not in any wiſe extend to take away or make void any pardon heretofore made under the great Seal of Ireland, to any of the ſaid perſons and offendours by this Act attainted, but that the

faid persons and every of them to whom any such pardon is or hath been graunted, shall and may have and take the advantage and benefit of every such pardon and of all things therein contained, in as large and ample manner, as they or any of them should, might or ought to have done, if this Act had never bene had or made, any thing in this Act contained to the contrarie thereof in any wise notwithstanding.

where the
persons at-
tainted
stood seised
to uses.

And whereas the said Earl of Desmond and other the said Rebels and persons by this Act attainted, or some or any of them at the time of their said treasons committed and done, were and stood seised of any Mannours, Lands, Tenements and hereditaments, to the use of any other person or persons, bodies politique or corporate, not being attainted of Treason, and not to their or any of their owne use and behoofe: Be it further provided and enacted by the authoritie of this present Parliament, that all and everie such other person and persons, bodies politique and corporate not being attainted, to whose use or uses the said Earl of Desmond and other the persons by this Act attainted, or some or any of them were so seised as is aforesaid the day of their said several treasons committed, or at any time thence, and the heirs and assigns of every such other person and persons, shall and may from time to time enter into the same Mannours, Lands, Tenements and hereditaments and every or any part thereof, aswell upon the possession of our said Sovereign Lady the Queens Majestie her heirs and successours, as of any other person or persons, and thereupon make and execute all and every such estates thereof to any other person or persons, and to such uses and intents as they might have done, if the same attaindour or attaindours had never bene had or made: And as touching such Mannours, Lands, Tenements and hereditaments, whereof the said Earl of Desmond and other the offendours and persons by this Act attainted, or some or any of them the day of their said severall treasons committed or at any time thence, were joyntly seised together with any other person or persons to the use of any person or persons not being attainted of Treason, that the same other person and persons with whom the said offendours and persons by this Act attainted or some or any of them were so joyntly seised as is aforesaid, shall stand and be seised of the same whole Mannours, Lands, Tenements, and hereditaments and of every part thereof to such uses and intents, as they were so joyntly seised the day of the said severall treasons committed, the said attaindours or any of them notwithstanding, as though the said offendours and persons by this Act attainted or any of them had never had any estate of, or in the said Mannours, Lands, Tenements or hereditaments.

C A P. VIII

An Act for the attaindour of Iohn Browne of Knockmonie,
And others mentioned in this Act.

the Attain-
dour of Iohn
Browne and
others

In their most humble wise beseechen your most excellent Majestie, the Lords Spirituall and Temporall, and all other your loving Subjectes, the commons in this your most high Court of Parliament assembled, That whereas Iohn Browne of Knockmonie in the same countie of Limericke Gent. Iohn Bradagh Esq. of Kilderry in the same countie Gent. Morogh Obrian of Aberlo in the same countie, Gentleman. Mahon mac Morogh Obrian of Kilmehume in the same countie, Gentleman. Thomas Browne of Kilkellan in the same countie, Gent. David mac Gibbon, Gent. alias David mac Shane, alias David Engozig late of Kilmore in the same countie, Gent. James Wale and

and Stephen Wale of Clonskrotchan in the same countie, Gent.
 Pierce Wale ^{alias} Peter Wale of Balleigny in the same countie, Gent.
 Redmond Wale of Adare in the same countie, Gent. Robert Oge
 Cusshane of Lisnecoxie in the same countie, Gent. Gerrald fitz Tho-
 mas of kilfinny in the same countie, Gent. Walter. Leo ^{alias} Leogh of
 Donkepe in the same countie, Gent. Owen mac Edmond mac Shehy
 of Ballynoe in the same countie, Gent. John London of Kil-
 colgrato in the same countie, Gent. Donogh Moyle mac William
 of Bromlare in the said countie, Gent. Edmond Oge Lacy of Ballyne-
 glocbye in the same countie, Gent. Gerald Duffe of Rathphrille in
 the same countie, Gent. James fitz David Oge Crone of Rathphrille
 aforesaid in the same countie, Gent. Patricke Wolfe of Ballinwilliam
 in the same countie, Gent. Gerald fitz Edmond of Glanebagilly in
 Clangibbon in the same countie, Gent. Brian Roe of Cabirduffe in
 the same countie, Gentleman. Cormocke Oge Hallynan of Boberonce
 in the same countie, Gent. James Keogh Lacy of Kismakerry in the
 same countie, Gent. Gerrard Balliffe of Ballinfrizie in the same coun-
 tie, Gent. Thomas Wale of Boherbradagh in the same countie, Gent.
 Morierto Mhereagh of Kilduffe in the same countie, Gent. Morvegh
 mac Brien of the Grange in the same countie, Gent. Thomas Hurly,
 of Ballynathie in the same countie, Gent. William mac Philippe of
 Ballyany in the same countie, Gent. Willicke Backagh mac Thomas
 of Clashonye in the same countie, Gent. Willicke fitz Thomas Burk
 of Lysmoland in the same countie, Gent. Owen mac Brien, mac
 Roze of Kartobidoze, ^{alias} Garydusse in the same countie, Gent. John
 Orabilly of Kilderry in the same countie, Gent. Morogh mac Teige
 O Brian of Killury in the same countie, Gent. Morice fitz John
 Gerrold of Kilnenagh in the same countie of Kerry, Gent. Conohor
 Odaly of Kilterchan in the same countie, Gent. John Oge fitz John
 fitz Morice of Killenozagh in the same countie, Gent. Morice mac
 Shane Husley ^{alias} Husley of Glangartenkarrene in the same coun-
 tie, Gent. John Husley of Ballicurty in the same countie, Gent.
 John mac Edmond mac Willicke of Ballenata in the same countie,
 Gent. James Husley of Dinglecushe in the same countie, Gent.
 James Russell in the same countie Merchant, Dominicke Roe fitz
 Morice of the same countie Merchant, Thomas fitz William Boy of
 the same county, Gentleman. David Duffe of Kilcushny in the same
 countie, Gent. Teige O Loigh, Dermot Beare of the same countie,
 Gentleman. John fitz James fitz Edmond of Tymackmaw in the
 same countie, Gent. John fitz Redmond of Ballycoynan in the coun-
 tie of Cork, Gent. Piers Condon of Manoge in Condons Countrey
 in the same countie, Gent. Morice mac Edmond of Rathgozffe in
 the same countie of Cork, Gent. James fitz John of Polloghkyry
 in the same countie, Gent. John mac Garret, mac Shane of the
 Great Woods in the same countie, Gent. Richard fitz Piers Condon
 ny Cabareagh of Cabirdronny in the same countie, Gentleman.
 Richard Riogh Barret of Burdenston in the same countie, Gent.
 Mahown mac Morogh of Kildeheny in the same countie, Gent. John
 Omollownow ^{alias} Shane Omolan of Temple Fogan in the same
 countie, Gent. John Piggot of Dyrenywxan zhe, ^{alias} Dyrewoylane
 in the same countie, Gentleman. Philippe Roche fitz Edmond, ^{alias} mac
 Gildon ^{alias} Willon of Carrickymilere in the same countie, Gentleman.
 Thomas Oge mac Thomas fitz Gerald of Kilmocke in the same coun-
 tie, Gentleman. William Encorizge of Kerylarry in the same coun-
 tie, Gentleman. Thomas Piskartie of Killane in the same countie
 Gentleman.

Gentleman. John Moyle of Ballygozan in the same countie, Gentleman. David fitz Edmond Roche of Killoughtermoy in the same countie, Gentleman. Morice fitz John of Knockmore in the same countie, Gentleman. Morice fitz William fitz David of Ballynatra in the same countie, Gentleman. Garret fitz James, sonne to James fitz John of Stroncalli in the countie of Waterford, Gentleman. John fitz James, Gentleman, brother to the same Garret, Thomas fitz James, Gentleman, brother also to the same Garret. Morice fitz John of Knockmohan in the same countie, Gentleman. Thomas fitz John fitz Morice of Knockmohan aforesaid, Gentleman. Henry fitz Garret of the same countie, Gentleman, brother to the Viscount Deries, Edmond Roche Poze of Killnecarrigge in the same countie, Gentleman. Edmond fitz Theobald, ^{alias} Rabbín of Ballibegge in the same Countie, Gentleman. John fitz Cybald of Ballibegge aforesaid, Gentleman, brother to the said Edmond fitz Theobald, William Duffe fitz James Roche of Ballymodagh in the same countie, gentleman. Edmond fitz John of Croshe in the same countie, Gentleman. Roze fitz Thomas in the same countie, Gent. brother to Thomas Oge, James Leigh Roch of Fortelenteby in the same countie, Gent. Mauritius fitz John of Kilmallow in the same countie, Gent. John Oge mac Thomas of Clony in the same countie, Gent. John fitz Maurice of Tynnekelly in the same countie, Gent. James fitz Morice fitz Garret of Ballymowtie in the same countie, Gent. John Roe fitz Edmond of Casclereogh in the same countie, Gent. Morice fitz John Bourke of Balligwiry in the same countie, Gent. James fitz Maurice of Shehan in the same countie, Gent. William O Maugher mac Dermot of the same countie Gentleman. Peter Grace of Ballynecurre in the countie of Cypperarie, Gentleman, ^{alias} Pierre Grace of Ballynecurre aforesaid Gentleman. Mellaghlen Roe O carran of Ballyuolan in the same countie, Gent. Edmond Hedan of Ballymore in the same countie, Gent. John Bourk, ^{alias} Rich. mac John Bourke of Ballimore aforesaid, Gent. William fitz Edmond Bourke of Kilualagher in the same countie, Gent. John fitz Walter Bourke of Bzourgan in the same countie, Gent. Conogher Pekoem mac Brian Ogonagh, Gent. Morertogh mac Brien of Tierboy, Gent. Morogh mac Brian of Tierboy aforesaid, Gent. Teige O Pulrian of Bealrughim in Onhy Gentleman. Kenedy mac Brien of the countrey of Ogonagh, Gentleman. Conoghoz mac Conghoz mac Brien of the same countrey of Ogonagh, Gentleman. Teige Roe of the Sept of Clandonell Roe of Bantry, Gentleman. Teige Roe mac Fynning mac Dermot of the same Sept, Gent. Conogher mac Donell mac Roze of the same Sept Gentleman, most falsly & trayterously, some of them by open rebellion in divers parts of your Majesties Realm of Ireland, and the others by sundrie confederacies, and conspiracies and other overt-facts, have committed, perpetrated and done many detestable and abominable treasons against your highnesse, to the great perill and danger of the utter destruction and overthrow of the good estate and publike peace of this your said realm of Ireland, if God of his infinite goodnes had not in due time opened and revealed to your highnes their traitterous intents and purposes, and discomfited them in the same: And where also divers others by actuall rebellion and other traitterous actions and practises most traitterously and abominably have joyned and combined themselves with many of the said offenders in their said rebellions and treasons, or have ayded or assisted them in the same, and have died and ben slaine in their actuall rebellion and treasons

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sons, or otherwise have ben by Martiall law executed for the same; It may please your highness of your most gracious and accustomed goodness and for the entire lobe, favour and heartie affection that your Majestie hath always heretofore borne and yet beareth to the Common-wealth of this your said Realm of Ireland, and for the good preservation of your most excellent Majesties government of the same, and of the good peace, unity and rest of all us your most bounden and obedient subjects thereof, to graunt and assent at the humble suit and petition of your said loving and obedient subjects; the Lords spirituall and temporall, and the commons in this present Parliament assembled, That it may be enacted by the authority of this present Parliament, that aswell the said John Brown, John Bradah, Cati Morogh Obrian, Mahowen mac Morogh Obrian, Thomas Brown, David mac Gibbon, James Wale, Stephen Wale, Pierce Wale, Redmond Wale, Robert Oge Cashan, Gerard fitz Thomas, Walter Leo, Owen mac Edmond mac Sheby, John London, Donagh Moyle mac William, Edmond Oge Lacy, Gerald Duffe, James fitz David, Oge Crone, Patrick Wolf, Gerald fitz Edmond, Brian Ro Cormock Oge Dhallinan, James Keogh Lacy, Gerald Baliffe, Thomas Wale, Mozierto Mergagh, Moziegh mac Brien, Thomas Hurly, William mac Philip, Willick Bachagh mac Thomas, Willick fitz Thomas Burk, Owen mac Brien mac Rozy, John Ocabilly, Moroh mac Teige Obrien, Morice fitz John Gerald, Conohor Odaly. John Oge fitz John fitz Maurice, Morice mac Shane Husley, John Husley, John mac Edmond mac Willick, James Husley, James Russell, Dominick Ro fitz Morice, Thomas fitz William boy, David Duff, Teig Oloigh, Dermot Beare, John fitz James fitz Edmond, John fitz Redmond Pierce Condon, Morice mac Edmond, James fitz John, John mac Garret mac Shane, Richard fitz Pierce Condon ny Caharagh, Richard Riogh Barret, Mahowen mac Morogh, John Omulownow, John Piggot, Philippe Roch, fitz Edmond, Thomas Oge mac Thomas fitz Gerald, William Encorigge, Thomas Ruskarty, John Moyle, David fitz Edmond Roch, Morice fitz John, Morice fitz William fitz David, Garret fitz James, John fitz James, Thomas fitz James, Morice fitz John, Thomas fitz John fitz Morice, Henry fitz Garret, Edmon Roch Dore, Edmond fitz Theobald, John fitz Tybald, William Duffe fitz James Roche, Edmond fitz John, Rozy fitz Thomas, James Leigh Roch, Mauritius fitz John, John Oge mac Thomas, John fitz Morice, James fitz Morice fitz Garret, John Roe fitz Edmond, Morice fitz John Bourke, James fitz Morice, William O Magher mac Dermot, Peter Grace, Mallaghlen Roe O Carran, Edmond Heddan, John Bourke, William fitz Edmond Bourk, John fitz Walter Bourk, Conogher Pckoem mac Brian Ogonoghe, Mozierto mac Brian, Morghe mac Brian, Teig O Mulryan, Kenedy mac Brien, Conogher mac Conogher mac Brian, Teige Roe mac Fyning mac Dermont, Conoghor mac Donill mac Rozy and every of them, as also all other which by actual rebellion and other trayterous actions and practises, have tray- and others
terously joyned or combined themselves with the foresaid offenders or that have
any of them in their said rebellions or treasons, or have aided or joyned with
assisted them or any of them in any the said rebellions and treasons, the said of-
fenders and
and have died or ben slaine in the same their actual rebellion or trea- there in Re-
bellion or
sons or have been by martiall law executed for the same, for their said Executed
abominable and detestable treasons by them and every of them most by Martiall
abominably and trayterously committed, perpetrated and done against Law.
your highnesse and this your said realm of Ireland, be and shal be by
authority

authoritie of this preſent Act convicted and attainted of high treaſon: and that as many of the ſaid offendours and perſons before named, as be yet in life and not pardoned for the ſame offences, ſhall and may at your highneſſe will and pleaſure ſuffer paines of death as in caſes of high treaſon. And that all and every the ſaid offendours by this preſent Act attainted, for their ſaid treaſons ſhall loſe and forfeit to your highneſſe and to your heires and ſucceſſors, all and every ſuch Honours, Caſtles, Mannors, Meſſuages, Lands, Tenements, Rentes, Reversions, Remainders, poſſeſſions, Rights, Conditions, Interests, Offices, Fees, Annuities & all other their hereditaments, goods, chattels, Debts and other things of whatſoever names, natures or qualities they be, which they or any of them had to their or any of their uſe or uſes, or which they or any of them with any other had to their or any of their uſes, or which any other had to their or any of their uſes on any the dayes of their ſaid ſeveral treaſons committed, perpetrated or done, or at any time ſithence. And that all and ſingular the ſaid Honours, caſtles, manors, meſſuages, lands, tenements, Rents, Reversions, remainders, poſſeſſions, Rights, Conditions, Fees, Annuities and all other hereditaments, goods, Cattles, Debts and other the Premises, by this Act be and ſhalbe deemed, veſted and judged to be in the actuall & reall poſſeſſion of your Maieſtie, without any office or inquiſition thereof hereafter to be taken or found: And that concerning ſuch and ſo many of the offendours aforeſaid, as before this Act were attainted of treaſon for any their ſaid offences, either by outlawrie or by verdict and judgment thereupon given by the lawes of this Realm of Ireland, every of the ſame their outlawries and attaindours be and ſhall be approved and confirmed by the authoritie of this preſent Act.

Saving.

Saving. to all and every perſon and perſons, bodies politique and corporate, and to their heires, ſucceſſors and aſſignes, and every of them, (other then the ſaid offendours by this Act attainted, and their heires and the heirs of every of them clayming any thing in the ſaid Honours, Caſtles, Mannors, Meſſuages, Lands, Tenements, and other the Premises or any part thereof, as heir or heirs to and from them or any of them, and all and every other perſon and perſons clayming or having any thing in the ſaid Honours, Caſtles, Mannors, Meſſuages, Lands, Tenements, and other the Premises, or any part thereof to their uſes, or to the uſe of ſome or any of them, or to the uſe of any their ſaid heirs as heirs to them or any of them) all ſuch Right, Title, Uſe, Poſſeſſion, Interest, Reversion, Remainder, entrie, condition, Fees, Offices, Rents, Annuities, Leaſes, commons, action, ſuit, petition, execution and all other hereditaments and all actions and meanes to recover or obtaine the ſame whatſoever, which they or any of them had or ought to have in the premises or any part thereof before the ſaid ſeverall treaſons by the ſaid ſeverall offendours committed or done, in as large and ample manner to all intents and purpoſes, as if this Act had never been had or made, any thing herein containd to the contrarie thereof notwithstanding.

Prohibe for
former
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Provided alwayes, and nevertheleſſe be it enacted by the authoritie aforeſaid, that this Act or any thing therein containd ſhall not in any wiſe extend to make voyde any graunt, gift, Leaſe or Demiſe made by our Soberaigne Ladie the Queen, of any the ſaid honours, Caſtles, Mannors, Meſſuages, Lands, Tenements or hereditaments to any perſon or perſons by Letters patents under the great Seale of Ireland at any time or times ſithence the ſaid treaſons committed, but that the ſame giſtes, grauntes and leaſes and everie of them ſhall ſtand

stand and be of such like force and effect in the law to all intents and purposes, and of none other or better force, but as if this Act had never bene had or made, any thing in this Act containd to the contrary thereof notwithstanding.

And bee it also further enacted, that this act or any thing therein contained, shall not in any wise extend to take away or make voyd any ^{former} pardon heretofore made under the great Seale of Ireland, to any of ^{pardons not} the said persons and offenders by this Act attainted, but that the said persons and every of them, to whom any such pardon is or hath been granted, shall and may have and take the advantage and benefite of every such pardon and of all things therein contained in as large and ample manner as they or any of them should, might or ought to have done, if this Act had never been had or made, any thing in this Act contained to the contrary in any wise notwithstanding.

And whereas the said rebels and persons by this Act attainted, or some or any of them at the time of their said treasons committed and done, were and stood seised of any Mannors, Lands, Tenements and Hereditaments to the use of any other person or persons, bodies politique or corporate, not being attainted of treason, and not to their or any of their owne use and behoofe: Be it further provided and enacted by the authoritie of this present Parliament, that all and every such other person or persons, bodies politique & corporate not being attainted, to whose use or uses the said persons by this Act attainted, or some or any of them were so seised as is aforesaid, the day of their said severall treasons committed or at any time since, and the heires & assignes of every such other person or persons, shall & may from time to time enter into the same mannors, Lands, Tenements and hereditaments and every or any part thereof, as well upon the possession of our said soveraigne Laidie the Quænes Majestie, her heires and successours as of any other person or persons: And thereupon make and execute all and every such estates thereof to any other person or persons, and to such uses and intents as they might have done if the said attaindour or attaindours had never been had or made: And as touching such Mannors, Lands, Tenements, and hereditaments, whereof the said offenders and persons by this Act attainted or some or any of them the day of their said severall treasons committed or at any time since, were joyntly seised together with any other person or persons to the use of any person or persons not being attainted of treasons, that the same other person and persons with whom the said offendours and persons by this Act attainted or some or any of them were so joyntly seised as is aforesaid, shall stand and be seised of the same whole Mannors, Lands, Tenements, and hereditaments, and of every part thereof, to such uses and intents, as they were so joyntly seised the day of their said severall treasons committed, the said attaindours or any of them notwithstanding, as though the said offendours and persons by this Act attainted or any of them had never had any estate of, or in the said Mannors, Lands, Tenements or Hereditaments.

CAP. IX.

An Act for the restitution in blood of Taffes Wife.

In most humble wise sheweth unto your highnesse your faithfull and humble subjects Nicholas Tasse of Atheclare in the countie of ^{Taffes wife} Louth in your Realm of Ireland Gentleman, and Jane his wife, ^{Restored in} That where in a Parliament holden at Dublin the eight and twentieth yeare of the Raigne of your most Noble Father of famous ^{blood.}

C e r e

memorie

memorie King Henry the eight, before the Lorde Leonarde Graye then Lord Deputie of this Realm, It was recited that Christopher Cusſace of Ballycuilland father unto the ſaide Jane, had committed Treason, and being thought that the ſayd recitall was not ſufficient to attaint the ſayd Christopher, therefore in a Parliament in the eleventh year of your Maieſties Reign holden before the right honourable Sir Henry Sidney Knight of the moſt noble Order, then Lord Deputie of the ſaid Realm, It was enacted that the ſaid Christopher Cusſace ſhould be deemed, reputed and adjudged as a Traytor, and a perſon attainted of high Treason and ſhould loſe and forfeit all his Lands, tenements and hereditaments, by force of which Act the ſayd Jane doth ſtand, and is a perſon corrupted in blood, and thereby diſabled to take or clayme any thing by diſcent from her ſayd aunceſſor, or from or by any other collaterall aunceſſor or couſen, or make her pedigree by the ſaid Christopher her father: And forasmuch as the ſayd Jane your highneſſe ſuppliant ſindeth in her ſelfe a great blemiſh and defect, for that ſhe is not reſtored to her blood: Your ſuppliants moſt humbly beſeech your Maieſtie that it may be enacted, that the ſaid Jane your ſuppliant may be reſtored in blood, and to her blood. May it therefore pleaſe your highneſſe upon the humble ſuit of your ſaid ſubjects, to graunt that it may be enacted by your Maieſtie, with the aſſent of the Lords Spirituall and Temporal, and the Commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, That immediately from henceforth your ſaid humble ſubject Jane Cusſace, ſhall and may be reſtored and enabled in blood and name to inherite as heyre to any of her aunceſſours lineall or collaterall: And that ſhe from henceforth ſhall and may be enabled as heyre in blood to demaund, aſke, clayme, and have all and ſingular Mannours, Lands, Tenements and Hereditaments with their appurtenances whatſoever, which at any time hereafter ſhall diſcend, come or revert to her or her heyres, from any of her or their lineall or collaterall aunceſſor or aunceſſors: And that ſhe and her heyres may make her and their pedigree and conveynance as heyres in blood unto her ſaid late father, or any other her aunceſſor or aunceſſors lineall or collaterall to all reſpects & purpoſes, in as large and ample manner as though the ſaid Christopher Cusſace had never been attainted, and as though the ſaid judgement and attainder had never been. Saving to your highneſſe, your heyres and ſucceſſours and unto all and every other perſon and perſons, bodies politike and corporate, their heyres, ſucceſſours, and aſſignes, and to the heyres, ſucceſſors and aſſignes of every of them, all ſuch eſtate, right, title, intereſt, remainder, uſe, poſſeſſion and demaund, as your highneſſe, or any other perſon and perſons, bodies politike and corporate, or any of them have, or ought to have of, in, or to any Mannours, Lands, Tenements, and Hereditaments with the appurtenances, in as large and ample manner and forme, as though this Act had never been had or made: any thing therein containned to the contrarie thereof in any wiſe notwithstanding.

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Provided alſo, and be it enacted by the authoritie aforeſaid, that this Act nor any thing therein containned, ſhall not extend to make bovd or frustrate any gift, graunt, leaſe for life or yeares, or any other eſtate of freehold or inheritance paſſed and graunted by your highneſſe father King Henry the eight of famous memorie, your highneſſe brother King Edward the ſixt, your highneſſe ſiſter Queen Mary, or the late King and Queen, Philip and Queen Mary, your highneſſe, or the ſaid Jane and her aſſignes or any of them, but that all ſuch graunts, gifts, leaſes,

leases, and every estate, interest, freehold, inheritance and term as is given and made for years, and every of them shall be and remaine of such force and effect in law, as they be and were before this Act, and in such force and effect to all intents, purposes and constructions, as if this Act had never been had ne made: This Act or any thing therein containd in any wise notwithstanding.

Provided alway, and be it enacted by the authority aforesaid, that this Act or any thing therein containd, shall not in any wise be prejudicial unto her highnesse, nor in any wise further beneficiall to the fore-^{to extend only to the blood} said Jane Eustace and her heires, other then her or their restitution in blood and linage, and for such things as be incident and appertayning to her and their abilitie of blood only. And your said humble subject shall daily pray to God for your most excellent Majestie, in health and great prosperitie long to reigne over us.

Statuta, Ordini, Actus et Provisiones Editi. In Quodam Parlamento Illustrissimi ac invictissimi Principis domini nostri Jacobi dei gratia Angliæ, Scotiæ, Franciæ & Hiberniæ Regis, fidei defensoris &c. Virtute Commissionis & mandati dicti domini regis sub magno sigillo suo Angliæ apud Castrum *Dublin*, die Martis, viz. decimo octavo die Maij ann. regni dicti domini regis Angliæ, Franciæ & Hiberniæ undecimo & Scotiæ quadragesimo sexto, coram predilecto & fidei consiliario suo *Arthur* domino *Chichester* de Belfast, Deputato suo generali regni sui Hiberniæ tento & ibm' contin' usq; ad decimum septimum diem Iunii tunc prox. sequent'. Et ibm' prorogat abinde usq; ad decimum quintum diem Julij tunc proxime sequent'. Et ibm' prorogat abinde usq; ad quintum diem Octobris tunc prox. sequent'. Et ibm' prorogat abinde usq; ad tertium diem Novemb. tunc prox. sequent'. Et ibm' prorogat abinde usq; ad tertium diem Maij anno regni dicti domini regis Angliæ, Franciæ & Hiberniæ duodecimo & Scotiæ quadragesimo septimo, Et ibm' prorogat abinde usq; ad quartum diem Julij tunc prox. seq. Et ibm' ulterius prorog. abinde usq; ad undecimum diem Octob. tunc prox. seq. Et eod' undec' die Octob. ibm' tent' & cont' vsque ad vices. nonum diem Novemb. tunc prox. seq. Et ibm' eod' vices. nono die Novemb. prorog. abinde usq; ult. diem Januarij tunc prox. seq. Et ibm' eod' ultimo die Januarij, ulterius prorog. abinde usq; ad decimum octavum diem April' anno regni dicti dom. regis Angliæ, Franciæ & Hiberniæ. tertio decimo, & Scotiæ quadragesimo octavo, Et eod' decimo octavo die Aprilis ibm' tent. & continuat. usq; ad decimum sextum diem Maij tunc prox. sequent'. Et ibm' prorogat. abinde usq; ad vicesimum quartum diem Octobris tunc prox. seq. Et eodem vicesimo quarto die Octobris dissolut. & determinat. edita in hæc verba.

CAP. I.

A most joyfull and just recognition of his Majesties lawfull, undoubted and absolute right and title to the Crown of Ireland.

The Rolls and Records of former Parliaments holden in this Kingdome (most dread and gracious Sovereigne) doe containe many grievous complaints of the miseries and calamities of this Land and people, being subject for many ages together to continuall rebellions, rapines and oppressions; but now within these few yeares past by the goodness of the Almighty God and by your Majesties gracious and happy government, so many blessings and benefits have been poured upon this Realm, as we your highness loyal subjects assembled in this present Parliament, have more just cause to record our joy and comfort then our predecessors ever had to express their grievances: for as by the singular providence of God even at this very time when the Crown of this Realm descended unto your Majestie, the most dangerous and universal rebellion that ever was raised in this kingdom was quenched and appeased, in the suppressing whereof the unreformed parts of this Land, which being ruled onely by Irish Lords and customs, had never before received the lawes and civill government of England, were so broken and redu-

A Recognition of his Majesties title

ced to obedience, as that all the inhabitants thereof did gladly submit themselves to your highness ordinary lawes and magistrates, which gave unto your Majestie a more entire, absolute and actuall possession of this whole Realm, then ever any of your noble progenitors had before you; so hath your Majesties Princely wisdom ever since more and more established your Throne & Sovereignty in the hearts of this your people, by using all gracious demonstrations & means that might procure their peace and welfare; for first by that generall act of oblivion, which did bury and extinguish all offences against the Crown, and all trespasses between subject and subject committed before the beginning of your Majesties Reigne: next, by the speciall Charters of pardon freely granted to many thousands of your subjects by particular names: then, by remitting of many great arrears of rents & other debts and forfeitures growing due to the Crown during the late generall rebellion and before: and lastly, by strengthening of many defective titles, and accepting surrenders, and regranting estates unto many of the meere Irish and others, who could derive no other title to their Lands then a long continuance of possessions, your Majestie hath secured the lives, Lands, and goods of the greatest part of your subjects, to their unspeakable comfort, whereupon hath ensued that universal peace & obedience as the like thereof in any former age hath not bene seen in Ireland. And for the further establishment and continuance of this peace and security, your Majestie hath taken such speciall care for the administration of the publique justice, as that of your royall bounty you have erected within the City of Dublin new and costly structures for the holding of your high Courts of Law and justice, and to the great increase of your highness charge, encreased the number of your Judges upon every Bench, who according to your Majesties direction, doe twice every year derive the streams of your Justice into all the parts of this Kingdom. And whereas the Divine justice hath lately cast out of the Province of Ulster divers wicked and ungratefull Traytors, who practised to interrupt those blessed courses begun and continued by your Majestie for the general good of this whole realm, by whose defection and attainer great scopes of Land in those parts have ben reduced to your Majesties hands & possession, your Majesties gracious care hath ben such for the civill plantation of those escheated Lands, as that you have not spared your own royal paynes in laying downe the project thereof, so as it is happily begune, and in good forwardnesse with Gods blessing so to succeed and take effect, though with your Majesties exceeding charges and expence of treasure, and diminution of your revenues, as that it shall reform and assure those countries which have bene heretofore the neests of rebellion and barbarisme, and by consequence settle the peace of the whole Realm for manie ages to come. In contemplation whereof, we your Majesties most humble and loyall subjects the Lords Spirituall and Tempozall and the Commons in this present Parliament assembled, do from the bottom of our hearts peeld to the divine Majestie all humble thanks and praises, not onely for the said unspeakable and unestimable benefites before expressed, but also for the assured hope we have conceived that the same shall be made perpetuall unto us by that most royall progenie of rare and excellent gifts and forwardnesse wherewith almighty God hath enriched your highness, And in his goodnesse is like to encrease the number of them, and in most humble and lowly manner do beseech your most excellent Majestie that as a memoriazl to all posterities amongst the records of your high court of Parliament for ever to endure

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of our thankfulness, loyaltie and obedience, it may be published and declared in this high Court of Parliament, and enacted by the authoritie of the same, that we being bound thereunto by the lawes of God and man, doe recognize and acknowledge, and thereby expresse our unspeakeable joyes, That immediately upon the dissolution and decrease of Elizabeth late Queen of England, the Crowne and Kingdom of Ireland, and all titles, stiles, royalties, jurisdictions, prerogatives and rights thereunto belonging, did by inherent birthright and lawfull and undoubted succession intirely and absolutely descend and come to your most excellent Majestie, as being lineally, justly and lawfully next and sole heire of the blood royall of the Kings and Queens of England, Fraunce and Ireland, in that your most royall person is lineally, rightfully and lawfully descended of the bodie of the most excellent Ladie Margaret, eldest daughter of the most renowned King Henry the seventh, and the high and noble Princessse Queen Elizabeth his wife, Eldest daughter of King Edward the fourth, the said Lady Margaret being Eldest sister of King Henry the Eighth, father of the high and mighty princessse of famous memorie Elizabeth late Queen of England, and that by the goodnesse of God almighty and lawfull right of descent under one imperiall Crowne your Majestie is of the Realms of England, Scotland, Fraunce and Ireland the most potent and mighty King, and by Gods favour more able to protect and governe us your loving subjects in all peace and plentie then any of your most noble progenitors; and thereunto we most humbly and faithfully doe submit and oblige us our heyres and posterities for ever untill the last drop of our blood be spent, and doe beseech your Majestie to accept the same as the first fruits in this high Court of Parliament of our loyalty and faith to your Majestie and your royall progenie and posteritie for ever, which if your Majestie shall be pleased as an argument of your gracious acceptation, to ratifie with your royall assent, without which it can neyther be compleate and perfect, nor remaine to posteritie according to our humble desire, as a memoriall of your princely affection towards us, we shall adde this also to the rest of your Majesties unspeakeable and unestimable benefits.

King
James his
title to the
Crowne of
England.

Royall
Assent.

CAP. II.

An Act for punishing of Pirats and Robbers on the Sea.

V Hereas Traytors, Pirats, Thieves, robbers, murderers, and confederators upon the Sea many times escape unpunished, because the triall of their offences hath heretofore been ordered judged and determined before the Admirall or his Lieutenant or Commissarie after the course of the civill lawes, the nature whereof is, that before any judgement of death can be given against the offenders, either they must plainly confesse their offences, which they will never doe without torture or paines, or else their offences be so plainly and directly proved by witnesses indifferent, such as saw their offences committed, which can seldome be gotten but by chance, because such offenders commit their offences upon the Sea, and many times Murder and kill such persons being in the Shippe or Boate where they Commit their Offences, which should witnesse against them in that behalfe, and also such as should beare witnesse be commonly Marriners and Shipmen, which because of their often voyages and passages on the Seas are uncertaine to be found when their testimonies should be had and used in such cases: for reformation whereof, Be it enacted

Eng. 8.
8:cap.15

the inconvenience of
triall of
piracy by
the Court
of the Civill
Law.

cted

Com-
missioners
having
power to
Enquire of
offences in
Havens &
Creeks

triall of
offences
committed
on the Sea
or in
the Admi-
ralls Ju-
risdiction
by the
Kings com-
mission.
the Com-
missioners
authoritie.

the punish-
ment of the
offenders.

Taking of
things that
may be
seized upon
Necessity
paying for
them.

ted by the Kings most excellent Majestie, and by the Lords Spirituall and Temporall and the commons in this present Parliament assembled, and by authority of the same, That all treasons, felonies, robberies, murders and confederacies hereafter to be committed in or upon the Sea, or in any other haven, river, creek or place where the admiral or admirals have or pretend to have power, authority or Jurisdiction, shall be inquired, tryed, heard, determined and judged in such shires and places in this Realm as shall be limited by the Kings commission, or commissions to be directed for the same in like forme and condition as if any such offence or offences had been committed or done in or upon the Land, and such commissions shall be had under the Kings great seal of this Realm directed to the Admiral or Admiralls, or to his or their Lieutenant generall, deputie or deputies, and to three or four such other substantiall persons as shall be nominated or appointed by the Lord Chancellor of Ireland for the time being, from time to time, and as often as need shall require to heare and determine such offences after the course of the common lawes of this Realm used for treasons, felonies, Robberies, murders and confederacies done and committed upon the Land within this Realm. And be it further enacted by the authority aforesaid, that such persons to whom such commission or commissions shall be directed, or four of them at the least, shall have full power and authority to enquire of such offences, and of every of them by the oathes of twelve good and lawfull inhabitants in the shire limited, by their commission in such like manner and forme, as if such offences had been committed upon the land within the same shire, and that every indictment found and presented before such commissioners of any Treason, felonies, robberies, murders, manslaughter, or such other offences committed or done in or upon the Seas, or in or upon any Haven River or Creek as aforesaid shall be good & effectual in the law: and if any person or persons happen to be indicted for any such offence done, or hereafter to be done upon the Seas or in any other places abovesaid limited, that then such order, procelle, judgement and execution shall be used had or done and made to and against every such person & persons so being indicted as against traytors, felons and murderers for treason, felony, robbery, murder or other such offences done upon the Land as by the lawes of the Realm is accustomed, and that the triall of such offence or offences if it be denied by the offendour or offendours, shall be had by twelve lawfull men inhabiting in the Shire limited with such commission, which shall be directed as aforesaid, and no challenge or challenges to be had for the hundred: and such as shall be convict of any such offence or offences by verdict, confession or procelle by authority of any such commission shall have and suffer such pains of death, losses of lands, goods and chattles, as if they had been attainted and convicted of any Treason, felonies, robberies or other the said offences done upon the land. And be it further enacted by the authority aforesaid, that for Treasons, Robberies, felonies, Murders and confederacies done upon the Sea or Seas, or in any place abovesaid rehearsed, the offendours shall not be admitted to have the benefit of his or their Clergie, but be utterly excluded thereof and from the same, and also of and from the priviledge of any sanctuary. Provided alway that this act extend not to be prejudiciall or hurtfull to any person or persons for the taking any victualls, Cables, Ropes, Anchors or Sails which any such person or persons compelled by necessity shall take of, or in any Shippe which may conveniently spare the same: So as the same any

person or persons pay out of hand for the same Victuals, Cables, Ropes, Anchors, or Sayles money or money worth to the value of the thing so taken: Or doe deliber for the same a sufficient bill obligatorie to be payed in forme following, that is to say: If the taking of the same things be on this side of the Straights of Morocco then to be payed within foure Moneths, and if it be beyond the said Straights of Morocco then to be payed within twelue Moneths next ensuing the making of such Bills, and that the makers of such bills well and truely pay the same debt at the day to be limited within the said bills, any thing in this present Act to the contrarie notwithstanding.

CAP. III.

An Act for the taking away of Cleargie in certaine cases of felonie, and for deliverie of Clearkes convict without purgation.

For that many wicked and dissolute persons have bene greatly emboldened without remorse to commit most wicked and felonious rapes and Ravishments of Women, Maydes, Widwes and Damosels, and felonious burglaries, robberies, and stealths, presuming upon the benefit and allowance of their Clergie for to escape the judgment, and execution of the law, for the repressing of the said wicked rapes, burglaries, Robberies and stealths, Be it enacted by the Kings most excellent Maiestie, and by the Lords spirituall and temporall and the commons in this present Parliament assembled, That if any person or persons shall at any time after the end of this present Session of Parliament commit any felonious rape or ravishment of any mayde, wife, widdow or damosell, or any felonious burglarie, or shall robbe any person or persons in their dwelling house or place, the owner or dweller in the said house or place, his wife, children or servants then being in or aboute the said dwelling house, or place, or shall robbe any person or persons in any booth or Tent in any faire or market, the owner, his wife child or servant then being within the same Booth or Tent, or shall robbe any person or persons in, or neere any highway, path or passage, or shall robbe any Church, or chappell, or shall steale any horse, Gelding, Mare or Garran and being indicted or; appealed of any of the said felonies, and thereupon found guilty by verdict of twelue men, or shall confesse the same upon his, her or their arraignment, or will not answer directly according to the lawes of this Realm, or shall willfully or of malice stand mute, or shall pre-emptorily challenge above the number of twentie Jurors, or shall be outlawed upon the same indictment, shall receive judgement and suffer pains of death without any allowance of the priviledge or benefit of Clergie, any Law, Custome or Usage to the contrarie notwithstanding. And be it further enacted by the authority aforesaid, that every person and persons which at any time after the end of this present Session of Parliament shall be admitted and allowed to have the benefit or priviledge of Clergie shall not thereupon be delivered to the ordinarie as hath ben accustomed, but after such Cleargie allowed and burning in the hand shall forthwith be enlarged and delivered out of prison by the Justices or other Magistrate before whom such Cleargie shall be graunted, that cause notwithstanding, saving that the same Justice or Magistrate shall and may for the further correction of such persons to whom cleargie shall be allowed, detaine & keepe them in prison for such convenient time as the same Justice or magistrate in their discretions shall think fit, so as the same doe not exceed one years imprisonment: any law, usage or custome to the contrary notwithstanding.

CAP. IIII

An Act for the attaindour of Hugh late Earle of Tyrone, Rory late Earle of Tyrconnell, Sir Cahire Odogherty Knight and others.

Attainder
of the Earle
of Tyrone &
others.

In most humble manner beseechen your most excellent Majestie your most loyall, faithfull and true hearted subjects the Lords Spirituall and Temporall and the commons in this present Parliament assembled, That whereas Hugh late Earle of Tyrone, Rory late Earle of Tyrconnell, Hugh Oneye late Baron of Dungannon and eldest sonne of the said Earle of Tyrone, Henry Oneye second sonne of the said Earle of Tyrone, Sir Cahir Odogherty late of Birrercastle in the County of Dunegall Knight, Coconnaught Maguyre late of Inniskilling in the county of Farmanagh Esquire, Ogby Oge Oshanlon eldest sonne of Sir Ogby Oshanlon Knight late of Cobergy in the county of Armagh Esquier, Caffer Odonell brother to the late Earle of Tyrconnell late of Cafferlonsle in the said county of dunegall Esquier, Caffer Oge Odonel late of Starfollis in the said countie of Dunegall Esq; Donell Oge Odonel late of Dunegall in the said county of Dunegall Esquier, Brian Oge mac Mahowne, alias Brian ne Sawagh mac Mahowne late of Clonlodge in the uppertrough in the countie Monaghan, Gent. Art Oge mac Cormocke Oneye late of Clogher in the countie of Tyrone Esquier, Henry Hobenden late of Dunganon in the countie of Tyrone, Gent. Mortogh Squyn late of the same, Gent. Richard Weston late of Dondalke in the countie of Lowth Merchant, John Bath late of Donalonge in the countie of Tyrone Merchant, Christopher Pluncket late of Dunganon in the said countie of Tyrone, Gent. John Spanty Ohagan late of the same, Gentleman. John Rath late of Drogheda Merchant. Hugh mac Donell Ogallachor late of Dunegall in the said countie of Dunegall, Gent. Terrelagh Carragh Ogallachor late of the same, Gent. Phelim Reagh mac David late of Cloagh in the said countie of Dunegall, Gent. John Crone mac David late of the same, Gent. Edmond Grome mac David late of the same, Gent. Matthew Oge Omultully late of Dunegall in the said countie of Dunegall, Gent. Donogh mac Mahowne Obrian late of Rathumlin in the said countie of Dunegall, Gent. Teige Okenan late of the same, Gent. Henry Ohagan late of Dunganon in the said countie of Tyrone, Gent. Teige Ohagan late of the same, Gent. and Teige Hodder Oquine late of the same, Gent. most falsly and trayterously aswell by open rebellion in divers parties of this your Majesties Realm of Ireland, as by sundrie treacherous confederacies and conspiracies have committed perpetrated and done many detestable and abominable Treasons against your Majestie, tending to the utter Subversion and ruine of the State and common-wealth of this Kingdome, of which Treasons, the said Hugh late Earle of Tyrone, Rory late Earle of Tyrconnell, Hugh Oneye late Baron of Dungannon, Henry Oneye, Coconnaught Maguire, Ogby Oge Oshanlon, Caffer Odonell, Donell Oge Odonell, Art Oge mac Cormocke Oneye, Henry Hobenden, Mortagh Squine, Richard Weston, John Bath, Christopher Pluncket, John Spanty Ohagan, Hugh mac Donell Ogallachor, Terrelagh Carragh Ogallachor, Phelim Reagh mac David, John Crone mac David, Edmond Grome mac David, John Rath, Matthew Oge Omultully, Donagh mac Mahowne Obrian, Teige Okenan, Henry Ohagan, Teige Ohagan, and Teige Hodder Oquin, have ben indicted and by proesse of outlawrie attainted according to the course of the common lawes of this Realm, the said sir Cahir Odogherty and Brian ne Sawagh mac Mahowne have ben flaine, being in actual rebellion against

against your Majestie, and whereas sir Hugh Maguire late of Iniskillin in the countie of Farmanagh knight, sir John Ozeilly late of the Caban in the countie of Caban knight, Philippe Ozeilly late of the same Esquier, and Edmond Ozeilly late of the same Esquier, being in open action of rebellion against the late Queene Elizabeth of famous memorie, the said Sir Hugh Maguire, Philip Ozeilly and Edmond Ozeilly were slain in their said action of rebellion, and the said Sir John Ozeilly adhering to the said traitour late Earle of Tyrone died in rebellion against the said late Queene Elizabeth, as by sundrie inquisitions remayning of record in your highnesse Court of Chauncerie in this your Realm of Ireland doth and may appeare: It may please your most excellent Majestie of your gracious disposition which your highnesse doth beare towards the settling of this unreformed kingdome, and aswell for the comfort of your true and loyall subjects, as for an example and terrour to all rebellious and traitorous persons, that all and every the attaindours of the persons abovenamed be approved and confirmed by the authoritie of this present Parliament. And be it further enacted by the authoritie aforesaid, that aswell the said Hugh late Earle of Tyrone, Rory late Earle of Tyrconnell, Hugh Oneile late Barron of Dungannon, Henry Oneile, Coronnaught Maguire, Oghie Oge Ohanlon, Caffer Odonell, Donell Oge Odonell, Art Oge mac Cormocke Oneile, Henry Hobenden, Morthagh Oquine, Richard Weston, John Bath, Christopher Plunket, John Opantry Oagan, Hugh mac Donell Ogallachor, Phelim Reach mac David, John Crone mac David, Terrelagh Caragh Ogallachor, Edm: Crone mac David, John Bath, Matthew Oge O Mulfally, Donogh Obrian mac Mahowen, Teige Okenan, Henry Oagan, Teige Oagan, and Teige Hodder Oquin, as also the said Cahir Odogherty knight, sir Hugh Maguire knight, sir John Ozeilly, Philippe Ozeilly, Edmond Ozeilly and Brian ne Sawagh mac Mahowen and every of them stand and be adjudged persons convicted and attaind of high treason, and that as many of the said offenders and persons before named as be yet in life and not pardoned for the same offences shall and may at your highnesse will and pleasure suffer pains of death as in his cases of high treason, and that all and every the said offenders by this present Act attaind for their said Treasons, shall be declared and adjudged to have lost and forfeited to your highnesse ^{forfeiture.} and to your heires and successours from the time of their severall treasons committed, all and every such honors, territories, countries, Castles, Mannors, Messuages, Lands, Tenements, Rents, Reversions, Remainders, Possessions, Rights, Conditions, Interests, Offices, Fees, Annuities, and all other their Hereditaments, Goods, Chattels, debts, and other things, of whatsoever Names, Maners, or qualities they be, which they or any of them had to their or any of their uses, or which any other had to their or any of their uses, on any the dayes of their said severall Treasons committed perpetrated or done, or at any time sithence. ^{not to be prejudiciall to any graunt made under the great Seale of England or Ireland.} Provided always and nevertheless be it enacted by the authority aforesaid, that this Act or any thing therein contained shall not in any wise extend to make void any graunt, gift, lease or demise made by our Sovereign Lord the King of any of the said honors, countries, territories, Castles, Mannors, Messuages, Lands, Tenements, or Hereditaments to any person or persons by Letters Patents under the Great Seal of Ireland, or under the great Seal of England at any time or times sithence the said treasons committed, but that the same giftes, graunts, & leases and every of them shall stand and

grants to
the Earle
of Tyrone
etc made
boyd.

be of force and effect in the law to all intents and purposes any thing in this Act contained to the contrary thereof notwithstanding. Provided nevertheless that this Act shall not extend to ratifie, confirm, or make good any Letters Patents heretofore made to the said Hugh late Earl of Tyrone, Rozy late Earl of Tyrconnell, Coconnaght Maguire deceased father of the said Coconnaght Maguire above mentioned, the said Sir Cabir Odogherty Knight, and the said Brian ne Sawagh mac Mahowon, or to either or any of them, or to any person or persons to whom any estate is limited in and by the said Letters Patents. But be it enacted by the authority of this present Parliament, That all Letters Patents heretofore made unto the said Hugh late Earl of Tyrone, Rozy late Earl of Tyrconnell, Coconnaght Maguire deceased father of the said Coconnaght Maguire first above mentioned in this Act, Sir Cabir Odogherty, and the said Brian ne Sawagh mac Mahowon, or to any or either of them and all estates, gifts, or graunts in use, possession, reversion or remainder, graunted, limited or mentioned to be graunted or limited to any person or persons whatsoever in and by any Letters Patents made unto the said Hugh late Earl of Tyrone, Rozy late Earl of Tyrconnell, Coconnaght Maguire the father, Sir Cabir Odogherty Knight, and Brian ne Sawagh mac Mahowon, or any or either of them be utterly repealed and from henceforth deemed and adjudged void to all intents constructions and purposes, any thing in this present Act contained to the contrary notwithstanding.

C A P. V.

An Act of repeale of diverse Statutes concerning the natives of this Kingdom of Ireland.

A rep: of di-
vers Statuts
concerning
the Na-
tives of
Ireland.

not printed

V Hereas in former times after the conquest of this Realm by his Majesties most royal progenitors kings of England, the Natives of this Realme of Irish bloud being descended of those that did inhabite and possesse this Land before the said conquest, were for the most part in continuall hostility with the English, and with those that did descend of the English, and therefore the said Irish were held and accompted, and in divers Statuts and Records were termed and called Irish enemies, And whereas in a Parliament holden at Dublin in the tenth year of the Reaign of King Henry the sixt, an Act was made, intituled, An Act that no person liege nor alien, shall take merchandize or things to be sold to faire, Market or other place amongst the Irish enemies &c. Whereby it was enacted that no Merchant nor other person liege nor alien, should use in time of peace nor Warre, to any manner of faire, Market, or other place amongst the Irish enemies with Merchandize or things to be sold, nor send them to them if it were not to acquite any prisoner of them that were the Kings liege men, and if any liege man did the contrary, he should be holden and adjudged a felon, and that it should be lawfull for every liege man to arrest and take such Merchants, and persons with their Merchandize and things, and to send them to the next Gaole, there to remain until they should be delibered as law requireth, and the King to have one halfe of the said goods, and he or they that should take them the other halfe, as by the said Act more at large appeareth.

not printed.

And whereas also at the same Parliament another Act was made, intituled, An Act that every liege man shall take the Irish conversant as espialls amongst the English, and make of them as of the Kings enemies, whereby it was enacted that it should be lawfull for every liege man to take all manner of Irish enemies which in time of peace and truce should come and converse amongst the English lieges, to spie their secrettes

secrecies, force, wayes, and subtilties, and to make of them as of the Kings enemies, with divers sayings and other clauses in the same Act conteyned, as by the same Act more fully and at large appeareth.

And whereas also at a Parliament begun at Dublin the first day of May, in the eight and twentieth year of the Raigne of King Henry the eight, and afterwards holden and continued by diverse adjournments and prorogations untill the thirtieth day of October, in the nine and twentieth year of the Raign of the said King Henry the eight, an Act was made, entituled, An Act against marryng or fostering with or to Irishmen. not Printed

And furthermore whereas at a Parliament holden in the eleventh year of the Raign of Queen Elizabeth an Act was made, entituled, An Act prohibiting any Irish Lord or Captaine of this Realm to foster to any of the Lords of the same Realm, whereby it was enacted that no Lord nor Captaine of the Irish of Ireland should from henceforth foster to any Earl, Viscount, Baron or Lord of the same Realm, and that what Irish Lord or Captain soever that from thenceforth should receive or take to foster the child ^{mulier} or bastard of any of the said Earls, Viscounts, Barons, or Lords, the same should be deemed and adjudged high treason in the taker, and also felony in the giber, according to the taxation and discretion of the Lorde deputie, Governour, or Governours, and Councell of this Realm for the time being, as by the same Act appeareth. these Statutes not printed.

Forasmuch as the cause of the said difference and of making the said Lawes and Statutes doth now cease, in that all the Nations and inhabitants of this Kingdome without difference and distinction are taken into his Majesties gracious protection, and doe now live under one Law as dutifull subjects of our Soberaigne Lord and Monarch, by meanes whereof, a perfect agreement is and ought to be settled betwixt all his Majesties subjects in this Realm. And for as much as there is no better means to settle peace and tranquillitie in this Kingdome, being now inhabited with many worthie persons borne in his Majesties said severall Kingdoms, then by abolishing and abrogating of the said severall Lawes, and by giving them free libertie to commerce and match together, that so they may grow into one Nation, whereby there may be an utter oblivion and extinguishment of all former differences, and discordes betwixt them, Be it enacted by the Kings most excellent Majestie the Lords Spirituall and Temporall, and Commons in this present Parliament assembled, and by the authority of the same, That all the said Acts and Statutes, and every clause and sentence in them and every of them conteyned shall from the end of this present Session of Parliament for ever be utterly and thoroughly repealed, frustrated,, adnihilated, and made void to all intents and purposes. the reason of the Rep:

C A P. VI.

An Act for repeale of one Statute made against bringing in of Scotts. retainng of them, and marryng with them.

Vhereas by an Act of Parliament made in the third and fourth years of the Raigns of the late King Philip and Quene Mary, entituled, An Act against bringing in of Scotts, retainng of them, and marryng with them, it is ordeyned, That if any person or persons at any time after the end of that Parliament do procure the comming of Scotts being men of warr into this Realm of Ireland, or do bring in to this Realm any Scotts being men of warr, or do give any Scot or Scotts being within this Realm and men of war, any wages, bonaghts, forbeide or any other intertainment, or hyze for service in war, that Rep. of the Statute against bringing in of Scotts the Statute of the 3 and 4 P. and 5. not printed.

ffff 2

every

every such offence & offences shall be adjudged high treason, & the offend-
 or or offenders therein, their procurers, abettors & counsellors, & every of
 them being thereof convicted or attainted according to the Lawes & Sta-
 tutes of this Realm, shall be deemed and adjudged high traitors, and
 that if any person or persons born within this Realm of Ireland doe
 without the licence of the Lord Deputie of this Realm, sealed with
 the great seal of this Realm, contract matrimonie or Marrie with any
 Scottishman, woman, or maiden, that then every such offence or of-
 fences shall be deemed and adjudged felonie, and the offender or offen-
 ders therein, their abettors, procurers and counsellors being thereof
 convicted and attainted according to the Lawes and Statuts of this
 Realm, shall be deemed and adjudged felons, as by the said Act more at
 large appeareth. Forasmuch as the cause of the making of the said
 Act is utterly taken away by the happy uniting of the Kingdoms of
 England, Scotland and Ireland under one imperiall Crown. Be it
 enacted by the authority of this present Parliament, That the said Act
 against bringing in of Scotts, retaining of them and marrying with
 them and all and every branch, clause and article therein contained be
 repealed and made utterly voyde and of none effect to all intents and
 purposes.

C A P. VII.

An Act for repaying and amending of high-ways and Cashes,
 and cutting or cleering of paces.

for repapra-
 tion of high-
 wayes

the time of
 election and
 persons to
 be elected
 surveyors of
 the high-
 wayes

when to be
 amended

at whose
 Charge.

Forasmuch as the high-ways and Cashes, and paces, and passa-
 ges throughout the Woods of this Kingdom, are in many places
 both very noysom and tedious to travell in and dange rous to all
 passengers and carriages. Be it enacted by the authority of this present
 Parliament, that Constables and Church-wardens of every Parish
 within this Realm, shall yearly upon the Tuesday and Wednesday in
 Easter week call together a number of the Parishioners, and shall then
 elect and choose two honest persons of the parish to be surveyors and or-
 derers of the works for the amendment of the high ways, Cashes, and
 paces in their parish, leading to any market Town, the which persons
 shall have authority by vertue of this Act to order and direct the per-
 sons and carriages that shall be appoynted for those works by their dis-
 cretions, and the said persons so named shall take upon them the execu-
 tion of their said offices, upon pain every of them making default to
 forfeit ten pounds. And the said Constables and Church-wardens
 shall also then name & appoint six days for the amendment and clær-
 ing of the said high wayes, cashes & paces in the said severall parishes be-
 fore the feast of Saint John Baptist then next following & shall openly
 in the Church the next Sunday after Easter give notice of the same six
 days, and upon the said days the parishioners shall endeavour them-
 selves to the amendment and clæring of the said wayes, Cashes and
 paces, and shall be chargeable thereunto as followeth, that is to say,
 all and every person or persons for every plow land in tillage or pas-
 ture that he, she, or they shall occupie in the same parish, & all and every
 other person or persons keeping therein a draught or plow, shall finde
 and send at every day and place to be appointed for the amendment of
 the high ways in that parish, as is aforesaid, one Waine or Cart, fur-
 nished after the custom of the country with Oxen, Horses, or other cat-
 tell, and all other necessaries meet to carry things convenient for that
 purpose, & also two able men with the same, upon pain of every draught
 making default, twentie shillings. And at every day and place to be ap-
 pointed for the mending of the Cashes and clæring of the said paces,

two able persons furnished with necessarie tooles for that purpose, upon paine of every default tenne shillings, and every householder, and every cottier and labourer of that parish able to labour and being noe hyred servant by the yeare, shall by themselves or one sufficient labourer, for every of them upon everie of the said six daies worke and travell in the amendment of the said high wayes, cashes or paces, upon paine of every person making default to lose for everie day two shillings. And if the carryages of the parish or any of them shall not be thought needfull by the supervisors to be occupied upon any of the said dayes for the amendment of the said high wayes, that then every such person that should have sent any such carriage shall send to the said worke for every carriage so spared, two able men, there to labour for that day, upon paine to lose for every man not so sent to the said worke, two shillings. And every person and carriage abovesaid, shall bring with them such Shovels, Spades, Pickaxes, Mattokes, Axes and other tooles and instruments as shall be necessarie for the said worke, and all & every the said persons and carryages shall doe, and keepe their worke as they shall be appointed by the said supervisors or one of them eight houres of every the said dayes, unlesse they shall be otherwise licenced by the supervisors or one of them. And be it further enacted by the authority aforesaid, that from henceforth it shall and may be lawfull to all and singular supervisor and supervisors and orderers of the said worke for the time being, for the amendment of the said High-wayes and Cashes thereunto elected, and appointed as aforesaid for the better repaying, and amendment of the High-wayes and making of Cashes in their severall Parishes and liberties where they shall be so made supervisors, if it shall so to them be thought necessarie to take and carrie away of the rubbish or small broken stones of any Quarrie or Quarries, and to cut and carry away any underwoode growing, lying or being within the Parish where they shall be supervisors without licence, controlment or impeachment of the owners or owner, so much as by their discretion shall be deemed and adjudged necessary to the amendment of the sayd waies and Cashes, the owners of the said underwoods notwithstanding to be payed for the same by the Parishes as the same shall be valued by the said supervisors, and that for default of any Quarry or Quarries not being within their said Parish or limits, or in default of rubbish not to be found in any such Quarry or Quarries, it shall and may be lawfull to any such supervisors or supervisor for the use aforesaid in the severall groundes of any person or persons, being within the parish and liberties where they shall be supervisors and nigh adjoyning to the way or waies wherein such reparations shall be thought necessary to be made where Gravel, Sand or Sindors, is likly to be found, to digge or cause to be digged for Gravel, Sand or Sindors, and likewise to gather stones lying upon any lands, or grounds within the Parish and liberty to be used to such services and purposes, and thereof to take and carry away so much as by the discretion of the said supervisors shall be thought necessary to be applied in the amendment of the said high-wayes. Provided alwayes that it shall not be lawfull to any such supervisor or supervisors by vertue of this Act to cause any rubbish to be digged out of any Quarry or Quarries, but onely shall extend to such rubbish as shall be found there ready digged by the owner or owners of the said Quarry or Quarries, or otherwise by his or their licence and commandement, nor shall not extend to give authoritie to any supervisor or supervisors to digge or cause to be digged any Gravel, Sand

the Pit to
be stopped
up upon
pain of
five pounds.

high-ways
in Boggies.

cutting of
hedges &c.

by whom.

or Sinder in the House, Garden, Orchard or Meadow of any person or persons, nor that it shall be lawfull by this Act to any such Supervisor or Supervisors to cause any more Pits to be digged for Gravel in any feveral or inclosed ground then one only, and that the same Pit or hole so digged for Gravel as aforesaid shall not be any way in breadth and length above ten yards at the most, and every such Supervisor as shall cause any such Pit to be made and digged for Gravel, Sand or Sinder as aforesaid, shall within one moneth next after any such digging or Pit made, cause the same to be filled & stopped up with earth at the costes & charges of the Parishioners upon paine to forfeit to the owner, or owners of the soile where any such pit shall be made & digged, for every default five pounds to be recovered by action of debt, as in other like cases of debt have been accustomed. And forasmuch as the high ways in sundry places of this Realm are full of Boggies continuall springs or water courses, by continual increase & sinking whereof into the ground the said ways are not onely verie deepe & dangerous, but also for the most part impossible to be amended, & repaired in any good and sufficient manner without some remedie provided for the same. Be it enacted therefore that from henceforth every such Supervisor or Supervisors, shall by force of this Act, within the Parish or limittes where he or they shall be Supervisors have full power & authoritie to make Cashes of such boggies, and to turne any such course or spring of water being in any of the said high-ways into any ditch or ditches of the feveral ground or soyle of any person or persons whatsoever next adjoyning to the said ways, in such manner and forme as by the discretions of the said Supervisors shall be thought meetest and most convenient. And be it further enacted by the authoritie aforesaid that the Hayes, Fences, Ditches, or Hedges next adjoyning on either side to any high or common or fairing way, shall from time to time be ditched, scoured, repaired and kept low, and all Trees and Bushes growing in the high-ways or paces, cut downe by the owner or owners of the ground or soyle which shall be inclosed with the hayes, fences, ditches or hedges aforesaid whereby the said ways may be open and the people have more ready and easie passage in the same, upon paine that all and every person or persons making default therein shall forfeite and loose twentie pounds. And be it further enacted by the authority aforesaid that all and every person or persons that hereafter shall occupie, or plow land in tillage or pasture lying or being in feveral Parishes shall be chargeable to the making of the highways, and Cashes, and cutting or clearing of Paces within the Parishes where he dwelleth as farre forth and in such manner and forme as any person having a plow-land in any parish ought to be chargeable by this Act as aforesaid: and that every person or persons occupying or keeping in his or their hand, or possession feveral or divers plowlands as aforesaid, in feveral or divers Parishes, shall be charged to find in each Parish where the plowlands being in his occupying doe lye, one Cart, Wayne, Cumbrell, Dungpott, or Courtlad, Carres or Breggs furnished and two men and other things as before for the amendment and repairing of the highways, making of Cashes and clearing of Paces within the feveral Parishes where the said plowlands doe lye, in such manner and forme as if he, or they were a parishioner dwelling within the Parishes where the same feveral plowlands doe lye. And for the better keeping of the high-ways passable for his Majesties subjects: Be it enacted by the authority aforesaid, that no person or persons having any ground by lease or otherwise, adjoyning to any highway, or common fayring way leading

ing to any market towne, shall cast or scoure any ditch, and throw and lay the soyle thereof into the highway, and suffer it to lye there by the space of six moneths, to the annoyance of the said high-way, or common sayring way, upon payne of forfeiture for every load of soyle so cast into the high way or common sayring way, in ditching or scouring twelbe pence: and where any heretofore have ben so cast into the high wayes, or common spring way, that there is a banke between the said way and ditch, that it shall be lawfull for the supervisors and workmen appointed for the amendment of the said high wayes to make sluices, or other devises by their discretions to conbey the water out of the said way into the ditch: any law, right, interest, custome, or usage notwithstanding. And be it further enacted by the authoritie aforesaid, That by whom all and every Justices of Assize, Justices of Oyer and Terminer, and Justices of the peace in their sessions, and stewards of Leetes and law dayes in their Leetes and law dayes, shall enquire of, and heare and determine all and every offence, matter and cause that shall grow, come or arise by reason of this Statute, and to assesse such reasonable fines and amerciaments for the same, as by them shall be thought meet, and that all and every penaltie, summe or summs of money forfeited, or to be imposed for any cause within this Statute, shall be levied, and take every Parish by the Surbeyors of the wayes within that Parish for the time being by distresse and sale of distresses in manner and forme as fines and amerciaments in Leetes have been used, and the money so levied to be employed upon the high-way, or common sayring way where the offence was committed within one yeare, and the said Surbeyors shall at least once every yeare at the quarter sessions to be holden for the said countie, make a true accompt before the Justices of the peace there, or any two of them, whereof one to be of the Quorum, and shall make payment of all such summes of money to the Surbeyors to be appointed for the yeare next following, as he or they shall have collected upon the estreats thereof to be made unto them, upon paine to forfeit for every time he shall not so doe, forty shillings sterl. and to be committed untill they make payment thereof, and the clerke of the Crowne or of the peace, and the steward of every Leete shall make estreats indented, of all the fines, forfeitures and amerciaments upon the sayd defaultes, & shall deliver the one part thereof to the Surbeyors of every Parish where the said offence was committed yearly within six weekes after the feast of Saint Michael the archangell, and the said Surbeyors upon their accompt shall have allowed for every pound he shall collect and pay eight pence for his owne paynes, and xii. d. English for the fees of the clerke of the crowne, clerke of the peace, or steward of the leet for the estreats indented of every severall Parish that they shall deliver as is aforesaid.

CAP. VIII.

Act Act for the avoyding of privie and secret outlawries of his Majesties subjects in personall actions.

VV Whereas before this time divers of his Majesties subjects of this his highnesse realm of Ireland have ben grievously troubled, and dampnified by reason of outlawries had against them in sundry actions personal in forreine counties, at the suit of divers persons, who many times have attempted such actions personally more for malice, then for any just cause of action they have against the parties defendants named in the same, and sometimes their attourney of purpouse for lucre of fees have layed the said actions in forreine counties, and of which outlawries so had in forreine counties the

by whom
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to assesse
fines.

and take
and sell the
distresses for
the same.

the Surbeyor
to accompt

fees to be
allowed.

for avoyding
secret out-
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personall
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defendant
dwells at
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Proclama-
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made, and
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or the out-
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five pence to
the ex-
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and record-
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clamation
12d to the
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the parties defendants named in such forreine actions had never know-
ledge nor monition, untill such time as the outlawries were had a-
gainst them & certified, & some of them never came within the countie
where such actions were against them sued, nor never were dwelling nor
conversant within the said countie, yet never thelesse the parties so out-
lawed in forreine counties, have thereby been much molested & troubled
to their great charge, & lost their goods & substance to their utter undo-
ing: wherefore for avoyding of such outlawries upon such suits here-
after to be sued, the King our Sovereign Lord graciously intending
the peace and good of his said subjects, and that indifferent justice
should be administred unto every person, and that every person should
have lawfull knowledge and monition of such actions as hereafter be
to be attempted and sued against him in any of the kings courts have by
the assent of the Lords spirituall and tempozall, and the commons in
this present Parliament assembled, and by the authoritie of the same,
ordeyned, established and enacted, And be it enacted, That from and
after the end of the Term next ensuing the end of this present session
of Parliament, in every action personall, wherein any Writ of Exi-
gent shall be awarded out of any Court, one Writ of Proclamation
shall be awarded and made out of the same Court, having day of Cesse
and retourne as the said Writ of Exigent shall have, directed and de-
liberated of record unto the Sheriffe of the countie where the defendant
at the time of the Exigent so awarded shall be dwelling, which Writ
of Proclamation shall conteyne the effect of the same action, and that
the Sheriffe of the countie unto whome any such Writ of Proclama-
tion shall be directed: shall make three Proclamations in this forme
following, and not otherwise, that is to say, one of the said Proclama-
tions in the open Court, and another of the same Proclamations to
be made at the generall quarter Sessions of the peace in those parts,
where the partie defendant at the time of the Exigent awarded shall
be dwelling, and one other of the said Proclamations to be made one
month at the least before the Quintus exactus by vertue of the said Writ
of Exigent at or nêr to the most usuall doore of the Church or Chap-
pell, or in case there be no Church or Chappell, in the Church-yard of
that towne or parish where the defendant shall be dwelling at the time
of the said Exigent so awarded: and if the defendant shall be dwelling
out of any Parish, then in such place as aforesaid of the Parish in the
said countie, and next adjoyning to the place of the defendants dwell-
ing, and upon a Sunday, And that all outlawries had and pronounced
after the end of the Term next ensuing the end of this present Session
of Parliament, and no Writ of Proclamations awarded and retorn-
ed according to the forme of this Statute, shall be utterly boyd and
of none effect, And that the officer in whose office the said Writs of
Exigents and Proclamations shall be made, shall take no more for the
making of any such Writs or Proclamations, or the entring of the
same of record, but five pence sterling. And that the sheriffe for make-
ing of the said Proclamation at or nêre to the Church or Chappel doore
as aforesaid, shall have twelve pence sterling and no more.

And be it further enacted by the authoritie aforesaid, that before the
allowance of any Writ of error, or reversing of any outlawrie be had
by plea or otherwise through or for want of any Proclamation to be
had or made according to the forme of this Statute, after the end of
this present Session of Parliament, the defendant and defendants in
in the originall actions shall put in good and sufficient bayle, not
onely to appeare and answer to the playntants in the former suits in

a new action to be commenced by the said plaintife in the cause mentioned in the first action, but also to satisfie the condemnation, if the plaintife shall begin his suite within two Termes next after the allowing of the Writ of Errour, or otherwise aboyding of the said outlawries.

And it is further enacted by the authority aforesaid, that if any Attorney or Attorneys shall issue and make forth any writ or writs of Exigent after the end of the Term next ensuing the end of this present Session of Parliament, without making and issuing one writ of proclamation in manner aforesaid, together with the said Writ of Exigent, shall forfeit and lose fortie shillings sterling for every such Writ of Exigent, so issued without one such other Writ of proclamation, the one moyetie of the said forfeiture to be to the partie grieved that will sue for the same by bill or playnt in the same Court out of which such Writ of Exigent shall issue, and the other moyetie to the poor, to be distributed and disposed of by the discretion of the Judges of the same Court.

and pay the condemnation, if the plaintiff begin his suit within two terms.

The attorney to forfeit 40 s that does not issue proclamation.

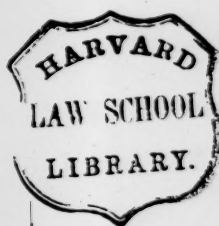
C A P. IX

An Act for the Kings Majesties most gracious, general and free Pardon.

THE Kings Majestie most graciously considering the good will and faithfull hearts of his most loving subjects, which as at all times, so at this present especially, they having with most dutifull affection shewed towards his highnesse; and understanding that the same his loving subjects have many and sundry wayes by the lawes and statutes of this Realme fallen into the danger of diverse great penalties and forfeitures, is of his princely and merciful disposition, most graciously enclined by his liberall and free pardon to discharge some part of those great paynes, forfeitures and penalties wherewith his said subjects stand now burdened and charged, trusting they will be thereby the rather moved and induced from henceforth more carefully to observe his highnesse lawes and statutes, and to continue in their loyal and due obedience to his Majestie; And therefore his Majestie is well pleased, and contented that it be enacted by the authority of this present Parliament in manner and forme following (that is to say) That all and every the said subjects aswell spiritual as temporal of this his highnesse Realm of Ireland, the heyres, successors, executors and administrators of them, and every of them, and all and singular bodies corporate, cities, boroughes, shires, hundreds, Baronies, townes, villages, hamlets, and tythings and every of them, and the successor and successors of every of them, shall be by the authoritie of this present parliament acquitted, pardoned and released, and discharged against the Kings Majestie, his heyres and successors, and every of them, of all manner of treasons, felonies, offences, contempts, trespasses, entrées, wrongs, deceipts, misdemeanors, forfeitures, penalties and summes of money, paynes of death, paynes corporall, and pecuniarie, and generally of all other things, causes, quarrells, suites, judgements and executions in this present Act hereafter not excepted nor foreprised, which may be, or can be by his highnesse in any wise, or by any meanes pardoned before, and unto the first day of this Session of Parliament, to every or any of his said subjects, bodies corporate, Cities, Boroughes, Shires, Baronies, Hundreds, Townes, Villages, and Tythings, or any of them. And also the Kings Majestie is contented that it be enacted by the authoritie of this present Parliament, that his free pardon shall be as good and effectual in the law to every of his said subjects, bodies corporate,

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and



and others befoze rehearsed, in, for, or against all things which be not hereafter in this present Act excepted and forepriefed, as the same pardon should have bin, if all offences, contempts, forf. causes, matters, suites, quarrels, judgements, executions, penalties, and all other things not hereafter in this present Act excepted and forepriefed had bin particularly, singularly, specially and plainly named, rehearsed, and specified, and also pardoned by proper and expresse words and names in their kindes, natures, and qualities by words and termes thereunto requisite to have been put in, and expresse in this present Act of free pardon, And that his said subjects nor any of them, nor their executors or administrators of any of them, nor the said bodies corporate and other befoze named and rehearsed, nor any of them be, nor shall be sued, vexed or inquired in their bodies, goods, chattels, lands, or tenements for any manner of matter, cause, contempts, misdemeanors, forfeitures, trespassse, offence, or any other thing suffered, done, or committed befoze the said first day of this present session of parliament, against his highnesse, his crowne, dignitie, prerogative, lawes or statutes, but only for such matters, causes, and offences as be rehearsed, mentioned, or in some wise touched in the exceptions of this present act, hereafter mentioned to be forepriefed, and excepted, and for none other: any statute or statutes, lawes, customes or usages heretofore had, made, or used to the contrary in any wise notwithstanding. And the kings highnesse of his bounteous liberality, by the authozity of this present parliament, graunteth and freely giveth to every of his said subjects, and to every of the said bodies corporate and other befoze rehearsed, and every of them all goods, chattels, debts, fines, issues, profits, amerciaments, forfeitures and summes of money by any of them forfeited, which to his highnesse doe or should belong or appertaine by reason of any offence, contempt, trespassse, misdemeanor, entry, matter, cause, or quarrel done or committed by them, or any of them befoze the said first day of this present session of parliament, which be not hereafter in this present act forepriefed and excepted. And be it enacted neverthelesse that all grants thereof made by any such as have so forfeited the same, and are hereby restored as aforesaid, and all executions thereof, or of any part thereof had against any such after such forfeiture thereof had committed, or made, shall be of such force and effect as if no such forfeiture thereof had bene had or made, and of no other: the same forfeiture or any thing befoze in this act to the contrary notwithstanding. And that all and every the kings said subjects, and all and singular bodies corporate and others befoze rehearsed, may by him or themselves, or by his or their deputy or deputies, or by his or their attourney or attourneys, according to the lawes of this Realme, pleade and minister this present act of free pardon for his or their discharge, of and for any thing that is by virtue of this present act, pardoned, discharged, given or graunted without any fee or other thing in any wise paying to any person or persons for writing or entry of the judgements or other cause concerning such plea, writing or entry, but onely sixteen pence to be paid to the officer or Clerke that shall enter such plea, matter, or judgment for the parties discharged in that behalfe: any law, statute, usage or custome to the contrary notwithstanding. And furthermore the kings highnesse is contented and pleased that it be enacted by the authozity of this present Parliament, that his said free pardon by the generall wordes, clauses and sentences befoze rehearsed, shall be reputed, deemed and adjudged, expounded, allowed and taken in all manner of courtes of his highnesse, and elsewhere, most beneficiall and available

haliabie to all and singular his said subjects, bodies corporate and others before rehearsed, and to every of them in all things not in this present Act excepted or foreprised without any ambiguity, question or other delay whatsoever, yet shall be to be made, pleaded, objected or alledged by the king our Sovereigne Lord, his heyres or successours, or by his, or any of their generall attourney or attourneys, or by any person or persons for his highnesse, or any of his heyres or successours. And furthermore it is enacted by the king our Sovereigne Lord, by the authority of this present Parliament, that if any officer or cleerke of any his highnesse courtes commonly called the Chauncery, Kings Bench and Common place, or of his Erchequer, or any other Officer or cleerke of any other of his highnesse Courtes within this Realme at any time after the last day of this present Session of Parliament make out or write out any manner of writs, processe, summons or other precepts whereby any of the said subjects, or any of the said bodies corporate or others before rehearsed, or any of them shall be in any wise arrested, attached, distrained, summoned or otherwise vexed, inquieted or grieved in his or their bodies, lands, tenements, goods or chattels, or in any of them for or because of any manner of thing pardoned or discharged by virtue of this Act of free pardon, or if any Sherife or Escheator, or any of their deputy or deputies, or any baylisfe or other officer whatsoever by colour of his or their office or otherwise, after the said last day of this present Session of Parliament doe levy, receive, take or withhold of or from any person or persons, any thing pardoned or discharged by this Act, that then every such person so offending, and thereof lawfully convicted or condemned by any sufficient testimony, witness or proove, shall yeld and pay for recompence thereof to the party so grieved or offended thereby his or their treble dammages, besides all costes of the suite, and shall also forfeite and lose to the kings Majesty for every such default ten poundes, and neverthelesse all and singular such writs, processe and precepts so to be made for, or upon any manner of thing pardoned or discharged by this present Act of free pardon shall be utterly void and of none effect. Except and alwayes foreprised out of this generall and free pardon all and all manner of high treasons, and other offences committed or done by any person or persons against the kings most Royal person, and all conspiracies and confederacies trayterously had, committed or done by any person or persons against the kings Majesties Royal person, and all and all manner of levying of warre, and all rebellions and insurrections whatsoever had, made, or committed or done at any time sithence the beginning of his Majesties raigne, and also excepted all and every manner of treasons committed or done by any person or persons in the parts beyond the Seas, or in any other place out of the kings dominions sithence the beginning of his Majesties raigne, and also all suites, punishments, executions, paynes of death, forfeitures, and penalties, for, or by reason or occasion of any the treasons and offences before rehearsed: And also excepted out of this pardon all offences of forging and false counterfeiting the kings Majesty his great or priby seale, signe manuell, or priby signet, or of any the monies currant within this realm, and also all offences of unlawfull diminishing of any the said monies by any wayes or meanes whatsoever, contrary to the lawes and statutes of this Realm at any time sithence the beginning of his Majesties raigne, and also all misprisions and concealments of any the high treasons aforesaid, and also all abetting, ayding, comforting or procuring of the same offences or any of the said treasons committed or done sithence

the beginning of his Majesties raigne. And also excepted out of this pardon all manner of voluntary murders, petit treasons, and wilfull poysonings done or committed by any person or persons sithence the beginning of his Majesties raigne, and all and every the accessaries to the said offences or any of them before the said offences committed. And also excepted and foreprised out of this generall pardon all and every offences of pyzacy, and robbery done upon the seas sithence the beginning of his Majesties raigne. And also excepted out of this pardon all burglaries committed or done in any dwelling house or houses, and all accessaries to any the said burglaries before the said burglary committed within one year before the beginning of this present session of Parliament. And also excepted all robberies done upon or to any mans or womans person in the high-way, or elsewhere, and all and singular accessaries of, or to any such robberies before the said robbery committed within one year before the first day of this present session of Parliament. And also excepted the felonious stealing of any horse, gelding, garran, or mare, and all accessaries thereunto before the same felony committed, and all judgements and executions of and for the same within one yeare next before the beginning of this present session of Parliament: and also all willful burnings of any dwelling house or houses, or any barne or barnes wherein any corne was, committed or done at any time sithence the beginning of his Majesties Raigne, & also excepted all rapes and carnal ravishments of women, and also ravishmentes and wilful taking away, or marryng any Mayde, Widdowe or Damosel against her will, or without the assent or agreement of her parents, or of such as then had her in custodie, committed or done within one yeare before the beginning of this present session of Parliament, and also all offences of ayding, comforting, procuring or abetting of any such ravishment, wilfull taking or marryng, had, committed or done: And also excepted out of this pardon all persons now attainted or outlawed of or for any treason, petit treason, murder, wilfull poysoning, burglary or robbery, and all executions of, and for the same: and also excepted all offences of invocations, conjurations, witchcraftes, sorceries, inchantmentes and charmes, and all offences of procuring, abetting or comforting of the same, and all persons now attainted, and convicted of any the said offences at any time sithence the beginning of his Majesties raigne: and also excepted all and every manner of taking from the kings Majestie of any the goods or chattels, or the issues, rents, revenues, or profits of any Mannors, Landes, Tenementes, and hereditaments, which were of any Traytor, Murderer, Felon, Clerke, or Clerkes attainted, or fugitives or any of them: and also excepted all goods and chattels in any wise forfeited to the kings Majestie by reason of any Treason, petit treason, Murder or Felony heretofore committed or done: and also excepted all offences of, or in making, writing, printing, or publishing, or in consenting to the making, writing, printing, or publishing of any false, seditious, or slanderous booke or bookes, libell, or libells in any wise against the kings Majestie or the present Government of this Realme in cases either Ecclesiasticall or Tempozall, or against any person or persons whatsoever, and also excepted out of this pardon, all intrusions had, or made, or done by any person or persons, in or upon any of the Mannours, Landes, Tenementes or other Hereditamentes of our said Sovereigne Lord the King, and all wastes done, committed or suffered upon any such Landes, Tenements or Hereditaments, and the wrongfull taking of

of any the Rents, Issues, and Profits of the same Mannours, Lands, Tenements or Hereditaments of our said Sovereign Lord the King at any time since the beginning of his Majesties Raign, and also all suits, accompts and impetitions of and for the same: also excepted out of this pardon all alienations of any Lands, Tenements or Hereditaments without licence, and all fines, Issues and Profits that may or ought to grow or come to the Kings Majesty, by reason of any such alienations without licence at any time since the beginning of his Majesties Raign: and also excepted out of this pardon, all wastes committed or done in any of the Kings Wards Lands, or in the Wards Lands of any of the Kings Counties, and also all and every fine and fines, for the single and double value of the marriage or marriages of all and every Ward or Wards at any time heretofore grown to the Kings Majesty since the beginning of his Majesties Raign: and also excepted concealed Wards and the Lands of such Wards concealed, and all Liberties and Primer seissins, and Ousterlemains that ought to be had, done or sued for the same since the beginning of his Majesties Raign: and also excepted out of this general pardon all Ravishments and wrongfull taking or withholding any the Kings Ward or Wards, Lands or the Rents and Profits of the same at any time comming or grown to the Kings hands since the beginning of his Majesties Raign, and every thing that by reason of any such Ward, or Wards Lands, and for default of suing or prosecuting of any Liberty for any such Wards Lands ought to come or be to the Kings Majesty, and which as yet is not discharged: and also excepted all fines that should or ought to grow to the Kings Majesty of any his widdows that have married without licence since the beginning of his Majesties Raign. Provided alwayes and be it enacted by the authority of this present Parliament, That the Kings Majesty, his Heires and Successours shall have and enjoy the full and whole Interest, Benefit, Profit and Advantage of all Wardships Liberties, Primer seissins and Ousterlemains of Lands, Tenements and Hereditaments, and all mean Issues and Profits for not prosecuting or not suing of any Liberty or Ousterlemain, happening, growing or accruing since the beginning of his Majesties Raign, as if this Act had never been had or made: and that all and every person and persons which have tendered or ought to sue, his, her or their, or any of their Liberties or Ousterlemains for any Mannours, Lands, Tenements or Hereditaments whatsoever they be, shall sue his, her or their Liberty and Liberties, and Ousterlemains out of our said Sovereign Lord the Kings hands, and shall answer and pay the fines, Issues and mean Profits for his or their Mannours, Lands, Tenements and Hereditaments, which have grown or accrued since the beginning of his Majesties Raign in like manner and form to every respect, as they and every of them should or ought to have done, if this Act had never been had or made: notwithstanding the not finding of any Office or Offices, or any other matter whatsoever, any article, thing or things in this present Act of general pardon comprised and specified to the contrary notwithstanding: And also excepted and forprised out of this pardon, all such persons as the last day of this present Session of Parliament be in prison within the Castle of Dublin, or in the Prison of Marshalsee or otherwise restrained of liberty by expresse commandement of the Lord Deputy, or by the commandement or directions of any his Majesties Privy Council.

And also excepted out of this Pardon, all and every such person and
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persons which at any time sithence the beginning of the Kings Majesties raigne have fled out of this Realm of Ireland or any other the Kings Dominions for any offence of high Treason, petit Treason or misprision of Treason: and also excepted all such persons as be gone or fled out of this Realm for any cause contrarie to the Lawes and Statutes of this Realm without the Kings Majesties licence: and also excepted all such persons as have obtained and had licence to depart this Realm for certaine time, and now doe abide out of this Realm without any lawfull excuse after the time of their licences expired: and also excepted out of this pardon all and every concealments or wrongfull detaiments of any custome or subsidie due to the Kings Majestie sithence the beginning of his Majesties raigne, and all corruptions and misdemeanors of any Officer or Minister of or concerning any Custome or Subsidie, and all accompts impetitions and suites to be had, made or done for the same: and also excepted all and singular accounts of all and every Collector and Collectors of any Subsidie, custome, imposition, composition, or other thing, and all accounts of every other person whatsoever that ought to be accomptant to the Kings highnesse, and the heyres, executors, and administrators of every such person that ought to accompt for all things touching onely the same accompts, and all and singular arrerages of accompts, and all untrue accompts, and all petitions, charges, and seysures, suites, demands, and executions which may or can be had, of, or for any accompts, or any arrerages of the same: and also excepted all titles and actions of *Quare impedit* and all homages, reliefe, and relieves, heriots, Rentes, Services, rent Charges, Rent Seckes, and the arrerages of the same not done, or payed to the Kings highnesse: And also excepted all conditions and covenants, and all penalties, titles, and forfeitures of condition, or conditions, covenant, or covenants, accrued or grown to the Kings Majestie by reason of the breach, and not performing of any covenants or conditions: and also excepted all summes of money graunted by the Kings Majestie or any his Noble Progenitors: and all Concealments, fraudes, and Offences by which his Majestie hath ben deceybed or not truely answered of, or for the same: and also excepted out of this pardon all debtes which were, or be due to our Sovereign Lord the King, or to the most Noble Queen Elizabeth of famous Memorie, or to any person or persons for or to any of their bles by any condemnation, recognisance, obligation or otherwise, other then such debtes as are due upon any obligation or recognisance forfeited before the first day of this present Session of Parliament for not appearance in any Court or other place whatsoever, or for not keeping of the peace, or not being of good behaviour, which debtes grown and accrued upon these cases, by this free pardon be and shall be freely pardoned, and discharged: and also excepted, and forspised out of this pardon, all and singular penalties, forfeitures and summs of mony being due, and accrued to our Sovereign Lord the King by reason of any Act, Statute, or Statutes: which forfeitures, penalties and summs of mony be converted into the nature of debtes by any judgement, order or decre or by the agreement of the offendour or offendours sithence the beginning of the Raign of the late Queen Elizabeth: and also excepted all forfeitures of Leases Estates or interests of any Lands, Tenements, or Hereditaments, holden of our Sovereign Lord the Kings Majestie by knight service or in socage in capite, or otherwise by knights service made in one or severall assurances or Leases for any term or terms of yeares, whereupon the old and accustomed Rent or more is not reserved: and also

also excepted all first fruites at this present being due to be paid to his Majestie by force of any Act or Statute or otherwise: And also excepted all penalties and forfeitures whereof there is any verdict in any suit given or past for the Kings Majestie: And also excepted all forfeitures, and other penalties, and profits now due, accrued and grown, or which shall or may be due, accrued, or growing to the Kings Majestie by reason of any offence, misdemeanoꝝ, or contempt, or Act or deed suffered had committed or done contrarie to any Act, Statute, or Statutes, or contrarie to the common Lawes of this Realm, and whereof, or for the which any action, bill, playnt or information at any time within eight years next before the last day of this present Session of Parliament hath been or shall be exhibited, commenced, or sued in the Courts of Castle-Chamber, or in any the Kings Majesties Courts at Dublin, and now is or the said last day of this Session of Parliament shall be there depending, and remayning to be prosecuted, or whereof the Kings Majesty by his bill assigned hath heretofore made any gift, or assignement to any person or persons. And also excepted out of this generall and free pardon, all offences, contempts, disorders, covens, frauds, deceits and misdemeanoꝝ whatsoever heretofore committed or done by any person or persons, and whereof or for the which any suit by bill, playnt or information at any time within four years next before the last day of this Session of Parliament is or shall be commenced or exhibited in the Court of Castle-Chamber, and shall bee there the same last day of this Session of Parliament depending, or whereupon any sentence, or decree is given or entered. And also excepted out of this pardon all offences of perjuries and subornations of witnesses, and offences of forging and counterfeiting of any false deeds, escriptes or writings, and all procuring and counselling of any such counterfeiting or forging to be had, or made, And also excepted out of this pardon all offences of incest, adultery, fornication and simony, & all such usury for which any interest hath been received or taken since the first day of this present Session of Parliament, and all misdemeanours and disturbances committed or made in any Church or Chappell in the time of Common prayer, Preaching or divine Service there used, to the disturbance thereof, and all outlawries, & prosecutions upon the same, And also excepted all offences whereby any person may be charged with the penaltie and danger of Premunire, and of the which offence or offences any person standeth already indicted or otherwise lawfully condemned or convicted. And also excepted all dilapidations for which any suit is, or before the end of this Session of Parliament shall be depending, And also excepted all offences in taking away, imbeaseling or purloynning any the Kings Majesties Goods, Money, Chattles, Jewels, Armour, Munition, Ordnance, or other habiliments of warr, And also excepted out of this pardon all manner of extortions whatsoever, and also excepted all covines, frauds, deceits, and other disorders and misdemeanours whatsoever heretofore committed, or done by any Steward of his Majesties mannoꝝ or Courts, Undersheriffe, or by any officer or Minister in any of his highness Courts in or by reason or colour of any of their offices or places, or any their Deputies or Clerks, and all offences of ayding, comforting, assisting or procuring of any Undersheriffe, or any such officer, Minister, or Clerke in continuing doing or executing any such Extortion, Exaction, Covin, fraude, Deceit, Disorder, or Misdemeanoꝝ, And also excepted out of this pardon all issues, fines, amerciaments being totted, levied or received by any Sheriffe, Undersheriffe, Baylife, Minister, or other officer to or for the Kings Majesties use

use or bechofe, before the last day of this present Session of Parliament, and all issues, fines and amerciaments asfferred, tared, set, estreated or entred severally, or peticularly touching or concerning any one person, or moze persons, jointly or severally, above the summe of six pounds, And also excepted all issues, fines and amerciaments asfferred, tared, set, or entred severally or particularly in any Court of Record at Dublin at any time sithence the Feast of Saint Bartholomew last past; and yet neverthelesse all other fines, as well ^{finis pro licentia concordandi} as other, set, tared, estreated or entred afore the said Feast of Saint Bartholomew, and also all issues and amerciaments as well reall as others within any liberties or without, being set, tared estreated or entred afore the said Feast of Saint Bartholomew, and which severally or particularly extend to or under the summe of six pounds, and not above, whether they be estreated or not estreated, or whether they be turned into Debt, or not turned into Debt, and not being totted, levied or recovered by any Sheriffe, Under-Sheriffe, Minister, or other Officer to or for the Kings Majesties use or bechof, before the last day of this present Session of Parliament, shall be freely, cleerly and plainly pardoned and discharged against the Kings Majesty, his Heyres and Successours for ever, by force of this present Act of free pardon, and yet nevertheless all Estreats of such Fines, Issues and Amerciaments as be now pardoned by this Act, and which be already estreated forth of the Court of Erchequer, and be remaining in the hand of the Sheriff, Under-Sheriff, or Bayliff for collecting of the same Fines, Issues and Amerciaments, shall upon the return of the same Estreats be orderly charged & delivered by Scrowls into the Office of the Pipe in the Court of Erchequer, as heretofore hath been accustomed, to the intent that thereupon order may be taken that his Majesty may be truly answered of all such Fines, Issues and Amerciaments not by this Act pardoned, and which any Sheriff, Under-Sheriff, Bayliff, or other Officer or Minister hath received, or ought to answer by force or colour of any such Estreate, Procelle or Precept to him or them made for the levying thereof: and yet notwithstanding all and every Sheriff and Sheriffs, and other Accomptants upon his or their petition or petitions to be made for the allowance of any such Fines, Issues and Amerciaments, as by this Act pardoned shall have all and every such his and their petition allowed in his or their accompt and accompts, without paying any fee or reward to any Officer, Clerk or other Minister for the making, entring and allowing of any such petition or petitions, any Usage or Custome to the contrary notwithstanding: And also excepted out of this Pardon all goods, chattels, debts, actions and suits already forfeited, or wherof any right or title is accrued and grown to the Kings Majesty by reason of any Outlawry, and wherof the Kings Majesty by his Highnesse Letters Patents hath before the last day of this present Session of Parliament made any Grant, Covenant or Proviso to any person or persons. And also excepted out of this pardon all such persons as be and remain still attainted or condemned, and not already pardoned, of, or for any rebellion or levying of Warre, or of or for any conspiracy of any rebellion or levying of Warre within this Realm, or in any other the Kings Dominions: And also excepted all false forging and counterfeiting of any Commission or Commissions to enquire of any Lands, Tenements, or Hereditaments: And also all false forging and counterfeiting of any untrue Certificate, or return of any Commission or Commissions obtained or gotten of any Court

Court or Courts, to enquire of any Lands, Tenements or other things whatsoever, and all, and all manner of falsifying of any particular, or of any Bill or Bills signed by his Majesty after the ingrossing thereof, and before the passing of the same unto the Great Seal. Provided alway, and be it enacted by the authority aforesaid, that it shall and may be lawfull to all and every Clerk and other Officers of the Kings Courts to award and make Writs of *Capias utlegatum* at the Suit of the party plaintiffe against such persons outlawed, as be pardoned by this Act, to the intent to compell the defendant and defendants to make answer to the plaintiffe and plaintiffes, at whose Suit he or they were outlawed; and that every person so outlawed shall sue a Writ of *Scire facias* against the party and parties, at whose Suit he or they were so outlawed before this pardon, in that behalf shall be allowed to him or them that is so outlawed. Provided also, and be it enacted by the authority of this present Parliament, That this Act of general pardon shall not in any wise extend to any person outlawed upon any Writ of *Capias ad satisfaciendum*, until such time as the person so outlawed shall satisfie, or otherwise agree with the party at whose suit the same person was so outlawed or condemned.

Statuta, Ordinationes, Actus & Provisiones, ædita in quodam Parlamento Illustrissimi ac Invictissimi Principis Domini nostri CAROLI Dei gratia Angliæ, Scotiæ, Franciæ & Hiberniæ Regis, Fidei defensoris, &c. Virtute commissionis & mandati dicti Domini Regis sub magno sigillo suo Angliæ apud Castrum Dublin die Lunæ, viz. decimo quarto die Julii, anno regni dicti domini Regis Angliæ, Scotiæ, Franciæ, & Hiberniæ decimo: Coram prædilecto & fideli Consanguineo & Consiliario suo Thoma Vicecomite Wentworth, Barone de Wentworth-Woodhouse, domino Newmarch & Oversley, domino Præsidente Consilii dicti domini Regis stabiliti in Boreali parte Angliæ, domino locum tenente Comitatus Eborum, uno de privato Consilio dicti domini Regis in Angliæ: deputato suo generali Regni sui Hiberniæ, tento & ibidem con tinuato usque ad secundum diem Augusti tunc proxime sequentis, & ibidem prorogato abinde usque ad quartum diem Novembris tunc proxime sequentis.

An Act for the Grant of Four Intire subsidies by the Temporality.

Most gracious Soberaign, we your Majesties most humble and loyal Subjects of your Highnesse Realm of Ireland, the Commons in your High Court of Parliament now assembled, ever calling to mind, and rightly considering the vast and almost infinite expence of Men, Money, Victuals, and Armes sent out of England hither by your self, and Royal Progenitors, for reducing this Kingdome into that happy condition wherein it now standeth: the manifold blessings which have been continued unto us since the accession of your sacred Person to the Crown, your Princely Justice so graciously and clerly dispensed to all the parts, and to all sorts of people within this your Dominion, together with sundry other weighty and pressing occasions, which at this time require a greater expence of treasure than your own ordinary Revenue from hence can supply: In a most thankful remembrance of the times past, and due acknowledgment and consideration of your Majesties present goodnesse thus plentifully expressed in your tender care of the welfare of us your people, and the tranquillity and manifold happinesse we partake under the safeguard of your Majesties great wisdom and power, doe (according as by all reason of Nature and Conscience we are justly bound:) Humbly present your Majesty with a free and chearful gift of four intire Subsidies, each Subsidy to be payd at two payments: the first payment to be made within six moneths next ensuing the first day of this present Session of Parliament, and so a like payment at the end of every ensuing six moneths, until the whole be paid. And therefore
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we humbly beseech your Majesty it may be enacted, and be it enacted by your most excellent Majesty, the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by authority of the same, that your Majesty, your Heires and Successours, shall have, receive and enjoy four entire Subsidies, to be rated, tared, and leyed of every person, Spirituall and Temporal, of what Estate he or they be, according to the tenor of this Act, in manner and form following.

That is to say, as well that every person born within this Realm, or other your Majesties Dominions, as all and every Fraternity, Guild, Corporation, Mystery, Brotherhood, and Commonalty, corporated or not corporated, within this Realm, or other your Majesties Dominions, being worth three pounds, for every pound aswell in Corn and the value of every pound, that every such Person, Fraternity, Guild, Corporation, Mystery, Brotherhood and Commonalty, corporate or not corporate, hath of his or their own, or any other to his or their use, as also Plate, stock of Merchandize, all manner of corn and grain, household-stuffe, and all other goods moveable, aswell within this Realm, as without, and of all such summes of money as to him or them is or shall be owing, whereof he or they trust in his or their conscience surely to be paid, (except and out of the premisses deducted such summes of money as he or they owe, and in his or their consciences intend truly to pay, and except also the apparel of every such person, their wives and children belonging to their own bodies, saving Jewels, gold, silver, stones and pearl) shall pay to and for every of the said Subsidies, in two severall payments two shillings eight pence of every pound, that is to say, sixteen pence of every pound, at every of the said payments. And also every Alien and Stranger, born out of the Kings obedience, as well Denizen as others, inhabiting within this Realm, of every pound that he or they shall have in Coyne, and the value of every pound in Plate, Corn, Grain, Merchandize, Household-stuffe, or other goods, Jewels, Chattels moveable or unmoveable, (as is aforesaid) as well within this Realm as without, and of all summs of money to him or them owing, whereof he or they trust in his or their conscience to be paid, (except and out of the same premisses deducted every such summe or summes of money, which he or they do owe, and in his or their conscience or consciences intend truly to pay) shall pay to and for every of the said Subsidies in two severall payments, five shillings and four pence of every pound: that is to say, two shillings eight pence of every pound, at every of the said payments: And also that every Alien and Stranger, born out of your Majesties Dominions, being Denizens or not Denizens, not being contributory to any the Rates aforesaid, and being of the age of seven years or above, shall pay to and for every of the said Subsidies, eight pence for every Poll at two severall payments: that is to say, four pence for every Poll at every of the said payments: And the Master, or he or she with whom the said Alien is, or shall be abiding at the time of the taxation or taxations thereof, to be charged with the same, for lack of payment thereof. And be it further enacted by the authority aforesaid, that every person born under your Majesties obedience, and every Corporation, Fraternity, Guild, Mystery, Brotherhood and Commonalty, corporate or not corporate, for every pound that every of the said persons, and every Corporation, Fraternity, Guild, Mystery, Brotherhood and Commonalty, corporate or not corporate, or any other to his or their use, hath or have in Fee simple, Fee taile, or term of life, term of years by execution, wardship,

Ship, or by Coppy of Court roll, of and in any Honours, Castles, Manors, Lands, Tenements, Rents Services, Hereditaments, Annuities, Fees, Corodies, or other yearly profits of the yearly value of twenty shillings, as well within ancient demeane and other places privileged, as else where, and so upwards, shall pay to and for every the said Subsidies, at two severall payments, four shillings of and for everypound: and every Alien, Denizen or not Denizen, born out of your Majesties obedience, in such case to pay to and for every of the said Subsidies, at two severall equall payments, eight shillings of every pound: and that all summs to be presented and chargeable by this Act, either for goods and debts, or either of them, or for Lands and Tenements, and other the premises, as is in this Act contained, shall be at every of the said payments, set and taxed after the rate and proportion, according to the true meaning of this Act, (Lands and Tenements chargeable to the twentieth part of the Clergy, and yearly wages due to servants, for their yearly service other then the Kings servants taking yearly wages of five pounds, or above, onely excepted and fore-privileged.) And that all Plate, Coine, Jewels, goods, debts, and chattells personall, and all lands, tenements, and other the premises as aforesaid, being in the rule and custody of any person or persons, to the use of any Corporation, Fraternity, Guild, Mystery, Brotherhood, or any Commonalty, being corporate, or not corporate, be & shalbe rated, set & charged, by reason of this Act, at the value to be certified by the Presenters in their Certificate, of every pound in goods and debts, as is abovesaid: And for every pound in Lands, Tenements, Annuities, Fees, Corodies, and other yearly profits, as is aforesaid. And the summs that are above rehearsed, set and taxed, to be levied and taken of them that shall have such goods in custody, or otherwise charged for Lands, as is aforesaid expressed. And the same person or persons, and bodies Corporate, by authority of this Act, shall be discharged against him or them, that shall or ought to have the same at the time of the payment or delivery thereof, or at his otherwise departure from the custody or possession of the same: (except and always fore-privileged from the charge and assessment of the said Subsidies, all goods, Chattells, Jewells, and ornaments of Churches, or Chappels, which have bene ordained and used in Churches, or Chappels, for the honour and Service of Almighty God:) And the summs aforesaid, of and for the said Subsidies, shall be taxed, set, asked, & demanded, taken, gathered, levied, & paid, to the use of your sacred Majestie, your Heyres and Successors in forme aforesaid, as well within Liberties, franchises, Sanctuaries, ancient Demeasnes, and other whatsoever places, exempt, or not exempt, as without: Any Grant, Charter, Prescription, Use, Liberty, or Frædome, by any Letters Patents, or any other Priviledge, Prescription, Allowance of the same or whatsoever other matter or discharge to the contrary, heretofore made, used, Granted or obtained notwithstanding. And be it further enacted by the authority of this present Parliament: that every such person as well such as be born under your Majesties obedience, as every other person Stranger borne, Denizen or not Denizen, inhabiting within this Realm, or elsewhere, which at the time of the same Assessings, or Taxations, or of every, or any of them, to be had or made, shall be out of this Realm, and have Goods, Chattells, Lands or Tenements, Fees, or Annuities, or other Profits within this Realm, shall be charged and chargeable for the same, by the Certificate of the Inhabitants of the place, where such Goods, Chattells, Lands Tenements, or other the Premises, then shall be, or in such other place where such

person or persons, or his or their factors, Deputy, or Atturney, shall have his or their most resort unto within this Realm, in like manner: as if the said person were, or had been at the time of the said Assessing, within this Realm. And that every person abiding or dwelling within this Realm, or without this Realm, shall be charged, or chargeable to the said severall Subsidies granted by this Act, according and after the rate of such yearly substance, or value of Lands, or Tenements, Goods, Chattles, or other the Premises as every or any person so to be charged shall be set at, at the time of the said Assessing or Taxation upon him to be made, and no other wise. And be it further enacted by the authority aforesaid, that for the severall Assessings and ordering of the said severall Subsidies to be duly had: The Lord Deputy, or other chiefe Governour of this Realm for the time being, with advice of the Lord Chancellor, Vice-treasurer, the Lord chiefe Justice of his Majesties chiefe Place, the Lord Chiefe Justice of his Majesties Court of Common Pleas, the Lord chiefe Barron of his Majesties Court of Exchequer, and the Master of the Role for the time being, or any two, or more of them, shall or may, name and appoint, of and for every County and Shire within this Realm, as also of and for every City and Town being a County of it selfe, such and so many persons as they shall think convenient to be Commissioners, of and in the said severall Counties, Cities, or Towns: And also the said Lord Deputy, or other Chiefe Governour, with advice aforesaid, in like maner may name, and appoint of every other such Burrough and Town corporate within this Realm, as they shall think requisite, five, four, three, or two, of the head Officers, and other honest Inhabitants of every of the said Cities, Burroughs, and Towns corporate, according to the number and multitude of the people being in the same: The which persons, if any such be thereunto named, of the said Inhabitants of the said Burroughs and Townes corporate, not being Counties of themselves, shall be joined and put in as Commissioners with the persons named for every such Countie or Counties, as the said Burroughs and Townes corporate, not being Counties, be set and have their being in: which persons so named of and for the said Burroughs and Townes corporate, not being Counties by reason of their dwellings in the same, shall not take upon them, nor none of them, to put any part of their Commission in execution for the Premises, out of the said Cities, Burroughs, and Townes corporate, wherein they be so named onely, nor to execute the said Commission within the Burrough or Town corporate where they be so dwelling, but such dayes and times as the said other Commissioners for the same Shire or Countie, shall thereunto limit and appoint within the said Burrough or Town corporate, not being a Countie whereof they be so named, & not out of such Burrough or Town, and in that manner to be aiding and assisting with the said other Commissioners, in and for the good executing of the effect of the said Commission, upon pain of every of the said Commissioners so named for every such Burrough and Town corporate, not being a Countie, to make such fine as the said other Commissioners in the Commission of and for the same Shire or Countie so named, or three of them at the least, shall by their discretion set and certifie into your Majesties Exchequer, there to be levied to the use of your Majestie in like manner, as if such or like summes had been set and rated upon every such person for the said Subsidies: The which Commissioners so named, of and for the said Burroughs and Townes not being Counties, and onely put into the said Commission, by reason of their

their dwelling in the same, shall not have any part or portion of the fees and Rewards of the Commissioners and their Clerks in this Act, afterwards specified and allowed. And the said Lord Chancellour of this Realm for the time being, shall make and direct out of the Court of the Chancery, under the Great Seal, severall Commissions, that is to say, for every Shire or Countie, and for each Citie, Town and Burrough, unto such person and persons, as by his discretion, or any of the other within afore-named and appointed, as is afore rehearsed, shall be thought sufficient, for the assessing and levying of every payment of the said Subsidies, in all Shires and places, according to the true meaning of this Act, and to every of the said Commissions, ten Schedules, containing in them the tenure of this Act, shall be affixed, by every of which Commissions, the Commissioners in every such Commission, named according to this Act, and as many of them as shall be appointed by the said severall Commissions, shall have full power and authority, to put the effect of the same in execution, and that by the authoritie of this Act, after such Commission to them directed, they may by their assents and agreements, sever themselves for the execution of their Commission, in severall Baronies, Cantreds, Hundreds, Townes, Parishes, and other places within the limits of the said Commission, in such form as to them shall seem expedient to be ordered, and between them to be communed and agreed upon, according to the tenor and effect of the Commission to them therein directed. And be it also enacted by the authoritie of this present Parliament, that the Commissioners, and every of them which shall be named, limited, and appointed, according to this Act, to be Commissioners in every Shire or Countie, City, Town, Burrough, or any other place, and no other, shall truly, effectually, and diligently for their part, execute the effect of this present Act, according to the tenor thereof, in every behalf, and no otherwise by any other means, without omission, favour, dread, malice, or any other thing to be attempted, or done by them, or any of them, to the contrarie thereof. And the said Commissioners, or as many of them as shall be appointed by the said Commission, and none other, for the execution of the said Commission, and Act, shall for the taxation of every payment of the said severall Subsidies, by virtue of the Commission delivered unto them, in form afore said, direct their severall or joint Precept or Precepts, unto eight, seven, six, five, four, three, or two (as for the number of the Inhabitants shall be requisite) of the most substantiall, discret, and honest persons Inhabitants, to be named by the said Commissioners, or by as many of them as shall be appointed by the said Commission, of and in the Baronies, Cantreds, Hundreds, Wards, Parishes, Townes, and other places, as well within Liberties, Franchises, and places exempted, as without, within the limits of the Shires, Counties, Cities, Townes, Burroughs, and other places within the limits of their Commission: and to the Constables, Sub-constables, Bayliffes, and other like Officers and Ministers of every of the said Baronies, Cantreds, Hundreds, Townes, Wards, Parishes, and other places afore said, as to the said Commissioners, and every number of them, or unto three, or two of them, by their discretion, in division shall seem expedient: straightly by the said precept or precepts, charging and commanding the said Inhabitants, Constables and other Officers afore said, to whom any such precepts shall be so directed to appear in their proper persons before the said Commissioners, or such number of them, as they shall divide themselves into according to the tenor of the said Commission,

mission, and certain dayes and places by the said Commissioners, or any such number of them, as is aforesaid, within Cities, Buroughes, or Townes corporate or without, in any other places, as is aforesaid, by their discretion to be limited thereunto, to doe and accomplish all that to them on the part of your Majesty shall be enjoyned, touching this Act. Commanding further by every such precept, that he to whose hands such precept shall come, shall shew and deliver the same to the other Inhabitants or Officers, named in the same precept, and that none of them fail to accomplish the same upon pain of forty shillings to be forfeited unto your Majesty. And it is further ordained by the authority of this present Parliament, that at the said day and place prescribed and limited in the said precept, every of the said Commissioners then being within this Realm, and having no sufficient excuse for his absence at the day and place prescribed, for that part whereunto he was limited, shall appear in his proper person, and there the same Commissioners being present, or as many of them as shall be appointed by your Majesties Commission, shall call, or cause to be called before them, the said Inhabitants and Officers to whom they have directed their said precepts, and which had in commandement there to appear by vertue of the said precept. And if any person so warned, make default, unless he then be letted by sickness, or lawful excuse, and that let then be witnessed by the oathes of two credible persons: or if any appearing refuse to serve in form following, then every such person so making default, or refusing to serve, shall forfeit to your Majesty forty shillings. And so at every time appointed by the said Commissioners for the said several taxations, untill such time as the number of every such person have appeared and certified in form under-written, every of them so making default, or refusing to serve, shall forfeit to your Majesty forty shillings. And upon the same appearance had, they shall be charged before the Commissioners, by all convenient wayes and means (other than by corporal oath,) to enquire of the best and most value of the substance of every person, dwelling and abiding within the limits of the places that they shall be charged with, and of other which shall have his or their most resort unto any of the said places, and chargeable with any summe of money, by this Act of the said Subsidies, and of all other things requisite, touching the said Act, and according to the intent of the same. And thereupon as nere as it may be, or shall come to their knowledg, truly to present and certifie before the said Commissioners, the names and surnames, & the best and uttermost substance and values of every of them, as well of Lands, Tenements, and other Hereditaments, possessions, and profits, as of goods, Chattles, debts and other things chargeable by the same Act, without any concealment, Love, Favour, Affection, Dread or Malice, upon pain of forfeiture of five pounds, or more, to be tared, extracted and levied, in form, as hereafter in this present Act shall be limited or appointed. And thereupon the said Commissioners shall openly there reade, or cause to be read unto them, the said Rates in this Act mentioned: and openly declare the effect of their charge unto them, in what maner and form they ought and should make their certificate, according to the Rates and summs thereof aforesaid: and of all manner of persons, as well of aliens and Strangers, Denizens or not Denizens, inhabiting within this Realm, as of such persons as be born under the Kings obedience- chargeable to this Act: And of the portions, goods and chattles, of fraternities, Guilds, Corporations, Brotherhoods, Mysteries, Comunalities, and other, as is above said, and of persons being in the parts

parts beyond the Seas, having goods & chattels, Lands or Tenements, within this Realm, as aforesaid, and of all goods, being in the custody of any person or persons, to the use of any other, as is abovesaid: by the which information and shewing, the said persons shall have such plain knowledge of the true intent of this present Act, and of the manner of their Certificate, that the same persons shall have no reasonable cause to excuse them by ignorance. And after such charge, and the Statute of the Subsidies, and the manner of the said Certificate to be made in writing, containing the names and surnames of every person, and whether he be born without the Kings obedience, or within, and the best value of every person, in every degree, as well of the yearly value of Lands and Tenements, and of such portions and profits, as of the value of goods and chattels, debts, and every thing to their Certificate requisite and necessary to them declared: the said Commissioners there being, shall by their discretions, appoint and limit unto the said persons, another day and place to appear before the said Commissioners, and charging the said persons, that they in the mean time shall make diligent inquiry, by all wayes and means of the premisses: And then and there every of them upon pain of forfeiture of forty shillings to your Majesty, to appear at the next prefixed day and place, there to certify unto the said Commissioners, in writing, according to their said charge, and according to the true intent of the said Grant of Subsidies, as to them in manner aforesaid hath been declared and shewed to the Commissioners: at which day and place so to them prefixed, if any of the said persons make default, or appear and refuse to make the said Certificate, then every of them so offending, to forfeit to your Majesty forty shillings, except there be a reasonable excuse of his default, by reason of sickness, or otherwise by the Oathes of credible persons there witnessed, and of such as appear ready to make certificate, as aforesaid, the said Commissioners there being, shall take and receive the same Certificate, and every part thereof, and the names, values, and substance of every person so certified. And if the said Commissioners see cause reasonable, they shall examine the said Presenters thereof, and thereupon the said Commissioners, at the said dayes and place by their agreement amongst themselves, shall from time to time there openly prefixe a day, at a certain place or places, within the limits of their Commission, by their discretion, for the further proceeding, to the said assessing of the said Subsidies. And thereupon at the said day of the said Certificate, as is aforesaid taken, the said Commissioners shall make their precept or precepts to the Sheriffes, Under-Sheriffes, Constables, Sub-constables, Bayliffes, or other Officers of such Shires, Baronies, Cantreds, Hundreds, Townes, or other places aforesaid, as the same Commissioners shall be of, comprising and containing in the said precepts, the names & surnames of all such persons presented before them in the said certificate, of whom, if the said Commissioners, or as many of them as shall be thereunto appointed by the Kings Commission, shall have vehement suspect to be of more, or greater value or substance in Lands, Goods, Chattels, or summes of money owing to them, or other substance aforesaid, then is upon such person and persons so certified and specified as aforesaid, the said Commissioners shall make their precept or precepts, directed to the Sheriffes, Under-Sheriffes, Constables, Bayliffes or other Officers, commanding the same Sheriffes, Under-Sheriffes, Bayliffes, Constables or other Officers, to whom such precepts shall be directed, to warn such persons, whose names shall be comprised in the said precepts,

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at their mansions, or to their persons, that the same persons named in such precepts, and every of them shall personally appeare before the said Commissioners, at the same new prefixed day and place, there to be examined by all wayes and means (other then by the corporall oath) by the said Commissioners, of their greatest substance and best value of all and every summe and summs of money owing to them, and other whatsoever matter concerning the premises, or any of them, according to this Act. At which day and place so prefixed, the said Commissioners then and there being, or as many of them as shall be thereunto appointed by your Majesties Commission, shall cause to be called the said persons, whose names shall be comprised in the said precept, as is aforesaid, for their examination. And if any of those persons which shall be warned, as is aforesaid to be examined, which at any time after the warning, and before the prefixed day, shall be within such place where he may have knowledge of his said appearance to be made, make default and appeare not, unlesse a reasonable cause, or else a reasonable excuse, by the oaths of two credible persons, before the said Commissioners be truly alleaged for his discharge, that then every of them so making default, to be taxed and charged to your Majesty, with, and at the double summe of the rate, that he should or ought to have been set at, for and after the best value of his lands and substance upon him certified, if he had appeared by the discretion of the said Commissioners there being, which Commissioners shall travell with every of the other persons then and there appearing, whose names shall be expressed in the said precept or precepts, and in whome any vehement suspect was, or shall be had, in forme aforesaid, by all such wayes and meanes as they can (other then by corporall oath) for the better knowledge of their best value, either in hereditaments, or possessions, or else in goods and debts, and thereupon shall have power and authority by vertue of this Act, according to their discretions to enlarge and increase the Taxations of such persons, as they shall so finde by due examinations, to be of greater value or substance, in Lands or goods then they were presented at, and that every spirituall person, at every of the said taxations of the said Subsidies, shall be rated and set, according to the rule abovesaid, of and for every pound that the same spirituall person, or any other to his use hath by descent, bargain, or purchase in fee simple, fee tayle, term of life, term of years, by execution, by wardship, or by copy of Courtrole, in any Mannors, Lands, Tenements, Rents, Services, Offices, Fees, Corodies, or Hereditaments, after the true, just and yearly value thereof, and according as other the Kings Majesties subjects, borne within this Realm, be charged in forme above remembred, so that it extend to the yearly value of twenty shillings, or above.

And it is further enacted, That if the said Taxors or Assessors shall not duely behave themselves in their inquiry, taxation, assessment, or certificate, but shall affectionately, corruptly, or partially demean themselves in that behalfe, in such wise, that the Commissioners shall by their considerations, deeme them offenders worthy of punishment, for not doing their duties therein, that then foure or more of the Commissioners in that county for the same Subsidies, shall have power and authority, by their discretions, either to charge the said Assessors upon their corporall oaths, for the better service aforesaid in that behalf, or else by their discretions to take and set upon every of the said Assessors, for their misdemeanors in that behalf, such a fine or paine as they shall think good, so that it exceed not the summe of Tenne pounds, and the same fine or paine at their discretions, to extend into

into the Court of Exchequer, every which time so rated and set by four of the said Commissioners or more, being estreated with the Schedule and bookes of the limit, shall be levied and answered to your Majesties use, in like manner and form to all intents and purposes, as any other Summes that shall be taxed and become due by vertue of this Statute and Act of Subsidy, and not in any other wise or manner. And if any person certified or rated by vertue of this Act, whether he be a Commissioner, or other, to any manner of value, doth finde himselfe grieved with the same presentment, selling or rating, and thereupon complaine to the Commissioners, before whom he shall be called, sessed or taxed, or before two of them, before the same taxation be certified into the Court of Exchequer, that the said Commissioners, or two, or more of of them, shall by all wayes and meanes examine particularly and distinctly the person so complaining, upon his oath, and other his neighbours by their discretions, of every his Lands and Tenements abovespecified, and of every his goods, chattells, and debts aboves mentioned, and after due examination and perfect knowledge thereof had, and perceived by the said Commissioners, or two, or more of them which shall have power by authority aforesaid, the said Commissioners, or two or more of them to whom any such complaint shall be made by their discretions, upon the oath of the said person so complaining, may abate, defalke, increase or enlarge the same assessments, according as it shall appeare to them just upon the same examination, and the same summe so abbated, defalked, increased, or enlarged, shall be by them estreated in form as hereafter ensueth. And if it be proved by Witneses, or by the parties owne confession, or other lawfull wayes or meanes, within a yeare after such oath made, that the same person so rated or sworn, was of any better or greater value in lands, goods, or other things abovespecified at the time of his said oath, than the same person so sworn did declare upon the said oath, that then the same person so offending, shall lose and forfeit to your Majestie, so much lawfull money of England, as he the said person so sworn, was set at or taxed to pay.

And also it is enacted by the same Authority, that every person to be rated and taxed, as is aforesaid, shall be rated and set, and the summe lon him set, to be levied at such place where he and his family were resident for the most part of the yeare next before the same presentment and taxation made, and no where else. And that no Commissioner for this Subsidy, shall be rated or taxed for his goods and lands but in the county or other place where he shall be Commissioner. And that if any person chargeable to this Act at the time of the said assessing, happen to be out of this Realm, or farre from the place where he shall be known then he to be set where he was last abiding in this Realm, and after the substance, value and other profits of every person to be known by examination, certificate or other manner of wayes, as is aforesaid, and that the said Commissioners, or as many of them as shall be appointed by your Majesties Commission or Commissioners shall after the rate and rates aforesaid, cause every person so to be rated, set and taxed, according to the rate of the substance and value of his lands, goods, chattells, and other profits chargeable by this Act, whereby the greatest & most or best summe or summs, according to his most substance, by reason of this Act, might or may be set or taxed. & that every person taxed in any County or place, other than where he and his family were resident for the most part of the yeare then next before, or in any County or place, other than where he is a Commissioner for

the Subsidy, (if he be a Commissioner) upon certificate made to the said Court of Exchequer, under the hands and seales of two Commissioners for the same Subsidy in the same County and place where such person and his family were resident for the most part of the yeare next before, or where he is a Commissioner for the taxation and payment of the said Subsidy, testifying such his most residency, having a family, or being a Commissioner, shall be a sufficient discharge for the taxation of that person in all other places, and of and for all other summs of money upon such persons so set and taxed, save onely the taxation made in that County or place, from which such Certificate shall be made, as is aforesaid. And for the summe of money upon such persons there assessed or taxed, and that such Certificate, without any plea or other circumstance, shall be a sufficient warrant as well to the Barons and Auditor and Auditors of the said Court of Exchequer, as to all and every other Officers to whom the allowance thereof shall appertain, paying for such discharge and allowance, six pence and no more. Provided alwayes, that every such person which shall be rated or taxed according to the intent and true meaning of this Act, for payment of and to the Subsidies, for and after the yearly value of the Lands, Tenements, and other Real possessions or profits at any of the said Taxations, shall not after, be set and rated for his Goods and Chattels, or other moveable substance at the same Taxations, and that he that shall be set, charged or taxed for the same Subsidy for his goods, Chattels, and other moveables at any of the said Taxations, according to the true meaning of this Act, shall not after be charged, taxed, or chargeable for his Lands, or other real possessions and profits aforesaid at the same Taxations, nor that any person by any Taxation be double charged for the said Subsidies, nor set, or taxed at severall places by reason of this Act. But if any person happen to be double set, taxed or charged either in any one place, or at severall places, than he to be discharged of the one Taxation, and charged with the other, according to the meaning and intent of this Act, any thing contained in this present Act to the contrary notwithstanding.

And be it ordained and enacted by the said authority of this present Parliament, that no persons, having two Mansions, or two places to resort unto, or calling himselfe household servant, and waiting servant to the Lord Deputy, or other Lord or Lady, Master or Mistres, be excused upon his saying, from the Taxes of the said Subsidies in neither of the places where he may be set or taxed, unlesse he bring a Certificate in writing from the commissioners, where that he is so set or taxed indeed at one place. And if any person that ought to be set and taxed to these present Subsidies, by reason of his removing and resorting to two places, or by reason of his saying, that he else where was taxed, or by reason of any priviledge of his dwelling or abiding in any place, not being fore-prise in this Act, or otherwise by his coven or craft, or by any words or sayings, or otherwise: or if any that is a Commissioner, or Assessor of others, happen to escape from the said Taxations for the payment of these Subsidies, or any of them, and be not set and taxed according to the true intent of this Act, and that proved by presentment, examination, information, or otherwise before the said Commissioners, or two of them, or before the Barons of your Majesties Exchequer, or two Justices of the peace of the County where such person dwelleth, then every such person, that by such meanes, or otherwise, willingly by coven or without just cause shall happen to escape from the said Taxations or payment aforesaid, or any of them, and shall
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not be rated, tared and set, shall be charged upon the knowledge and proofes thereof, with and at the double value of so much, as he should might, or ought to have ben set and tared at by vertue of this Act, and thesame double to be gathered, levied and paid, of his goods and chattells, lands, and tenements, towards that Subsidie, and further to be punished according to the discretions of the Barons, Iustices, and Commissioners, before whom he shall be committed for his offence, and deceit in that behalf.

And be it further enacted by the authority aforesaid, that the said Commissioners in every commission, which shall be, or inhabit in any County or place within the limit of their commission, or the more part of them, shall have full power and authority by this Act, to set, tare, and selle every other Commissioner, joyned with them in every such commission: and the said Commissioners within every division, shall also asseesse every Assessor, within his or their division, for his or their goods, lands, or other the premises, as is above said: by the which said commission, the said Commissioners to whom it shall appertain, shall indifferently set, tare and asseesse themselves, and the said Assessors, and that as well the summes upon every of the said Commissioners and Assessors, so assessed, rated and tared, as the summes made and presented by the Presentors, as is aforesaid, shall be written, certified, set and estreated, and the estreats thereof to be made with the other inhabitants of that part, and within the limits of the same commission and division so to be gathered and levied, in like manner as it ought, or should have been, if the said Commissioners had not been in the said Commission. And that all persons of the estate of a Baron or Baronness, and every estate above, shall be charged with their frehold and value as aforesaid by the Lord Deputy or other chiefe Governour of this Realm, with the advise aforesaid, and they to be charged for the said severall payments of the said Subsidies, after the form of the said grant, according to the taration aforesaid. And the summe of and upon them, to be set and tared, with the names of the Collectors appointed for the gathering and paying of the same, to be estreated, delibered, and certified by the Lord Deputy, or other chiefe Governour of the said Realm for the time being, together with other such persons as there unto shall be named, as is aforesaid.

And be it further enacted by the authority aforesaid, that after the Taxes and Assesses of the said summes, upon, and by the said Assessing and Certificate, as is aforesaid made, the said Commissioners or as many of them as shall be thereunto appointed, and have authority by your Majesties Commission, shall with all speed, and without delay, by their writing, estreate the said Taxes thereof, under the seales and signes Manual of the said Commissioners, or of as many of them as shall be appointed at the least, and the same shall deliver unto sufficient and substantial Inhabitants, Sheriffes, Under-Sheriffes, Constables, Sub-constables, Bayliffes, and other Officers jointly of Baronies, Cantreds, Hundreds, Townes, Parishes, and other places aforesaid, within their limits, and other sufficient persons, Inhabitants of the same, only by the discretions of the said Commissioners, with the assent of the high Collectour: and as the place and parties shall require, as well the particular names and surnames, as the remembrance of all summes of money, taxed and set, of and upon every person, as well man as woman, chargeable by this Act, Housholders, and other Inhabitants and dwellers within the said Parishes, Towns, and places contributory to this Act of Subsidies. By authority of which writing

and estreat so delibered, the same Officers and other persons so named and deputed severally, shall have full power and authority, by vertue of this Act, immediatly after the delivery of the said writing, or estreat, to demand, levy and gather of every person therein specified, the summe or summes in the same writing or estreat comprised, and for non-payment thereof, to distraine the same person or persons so being behind, by their goods and chattells, and the distresses so taken, to keepe by the space of eight dayes, at the costs and charges of the owner thereof. And if the said owner doe not pay such summe of money as shall be tared upon him, or her, by authority of this Act, within the said eight dayes, then the same distresses to be apprayed by foure, three, or two, of the Inhabitants where such distress is taken, and also then to be sold by the Constable, or other Collector, for payment of the said money, & the overplus, coming of the sale, & keeping thereof (if any be) to be immediatly restored to the owner of the same distresses: which said Officers, and other persons so deputed, to ask, take, gather, and levy the said Summes, shall answere and be charged for the portion onely to them assigned and limited to be gathered, levied and comprised in the said writing of estreat, so to them (as is aforesaid) delivered, to the use of your Majesty, your heirs & Successors, & the said summe in that writing or estreat comprised, to pay unto the high Collector or Collectors of that place, for the collection of the same, in manner and forme underwritten thereunto to be named and deputed. And the same Inhabitants and Officers so gathering the same particular summes for their collection thereof, shall retaine for every twenty shillings so by them received and paid, two pence, and that to bee allowed at the payment of their Collection, by them to bee made to the high Collector or Collectors. And further bee it enacted by the said authority, that such of the said Commissioners, or the more part of them, as shall take upon them the execution and busines of the said Commission, shall for every of the sayd payments of the said Subsidies, name such sufficient and able persons, which then shall have and possess Lands or other Hereditaments, in their own right, of the cleare yearely value of Twenty pounds, or goods to the value of foure hundred pounds at the least, as hee shall be tared in the Subsidie Booke, if any such bee in the said limits, and for want of such so assessed, then those to bee appointed Collectors that then shall be sufficient in lands or goods nearest to the values aforesaid, as by their discretion shall be thought good in the several Counties, Shires, Cities, Townes corporate, and other whatsoever places, aswell within places privileged, as without, not being fore prired within this Act to be high Collectors, & to have the collection and receipt of the said summes set and leviable within the precincts, limits and bounds, where they shall be so limited and appointed to be high Collectors, and to every of the said Collectors severally named, the said Commissioners, or two of them at the least, with all speed and without delay, after the whole summe of any payment of the said Subsidy, be set by all the limits of the same their Commission, or in such limits as the high Collectors shall be so severally assigned, shall under their seales and signes Manual, deliver one estreat indented in parchment, comprising in it the names of all such persons as were assigned to levy the said particular summes, and the summes of every Barony, Cantred, Hundred, City, Towne, and other place aforesaid, with the names and surnames of the persons so chargeable according to the estreats thereof, made and delivered, as is aforesaid, and the Collectors to be assigned, shall be charged to answer the whole summe

summe comprised in the said estreat limited to his collection, as is aforesaid.

Provided alwayes, and be it enacted by the authority aforesaid, that the said Commissioners having authority by this Act, to name and nominate the said high Collectors of every of the said Subsidies, shall immediately upon the nomination and election, take by authority of this present Parliament, sufficient recognizances or obligations, without any fee or reward therefore to be paid of every person so by them to be named to be high Collectors, to be bound to the Kings Majestie in the double summe of the summe of his collection, and to be endorsed and made upon such condition, that is to say, for the collection of every payment of the said Subsidies, That if the said Collector, his heires, or executors, doe truly content and pay to the use of your Majestie, your Heirs and Successors in the receipt of the said Exchequer, at such times of payment as are formerly limited by this Act, so much of the said summe of money allotted and appointed to his collection, as he shall collect and gather, and content and pay the residue of his collection and charge within one month next after such time as he hath gathered and collected the same residue, that then the said recognizances or obligations to be void, or else to stand in full strength and vertue. Which said recognizances or obligations so taken, the said Commissioners shall severally certifie and deliver into your Majesties Exchequer, with the severall certificates of the said taxations and rates of the payment of the said severall Subsidies within convenient time after the taking thereof, and that every such Collector so elected, named and chosen upon request to him made, shall knowlege and make the said Recognizance or Obligation, upon paine of forfeiture of twenty pounds to your Majestie for the refusall thereof, and that the Court of Exchequer upon payment of the said severall Collections of the said severall Subsidies, at the times therein limited for the payment thereof, shall cancell and deliver the said Recognizances or Obligations for the payment thereof to the Collector or Collectors, without any other warrant, and without any fee or reward to be paid for the same to any person, and every Collector so deputed, having the said estreat in parchment, as is aforesaid, shall have authority by this Act to appoint dayes and places within the circuit of his collection, for the payment of the said Subsidies respectivelv to him to be made, and thereof to give warning by Proclamation or otherwise, to all the Constables, or other persons, or Inhabitants, having the charge of the particular collections within the Baronies, Cantreds, Hundreds, Parishes, Townes, or other places by him or them limited, to make payment for the said particular collection of every summe, as to them shall appertaine. And if at that same day and place so limited and prescribed by the said high Collector, the said Constables, Officers, or other persons, or Inhabitants, as is aforesaid for the said particular collection assigned and appointed within such Baronie, Cantred, Hundred, Citty Towne, or other place, doe not pay unto the said high Collectors, the summe within their severall Baronies, Cantreds, Hundreds, Townes, Parishes, and other places due and comprised within the said estreat thereof, to them delivered by the Commissioners, or some of them, as is aforesaid, or so much thereof as they have by any meanes received (two pence for every pound for the said particular collection, as is aforesaid, alwayes thereof to be allowed, deducted, and abated,) That then it shall be lawfull to the said high Collectors, and every of them, and their Assigns, to distraine e-

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every of the said Constables, Officers, and other Inhabitants, for their said severall and particular collection of the said summs comprised in the said estreat and writing thereof to them, and every of them, (as is before expressed) delibered, or for so much of the same as so then shall happen to be gathered and levied, and to be behind and unpaid, by the goods and chattels of every of them so being behind and unpaid: And the distresses so taken, to be kept and appraised, and sold, as is aforesaid. And thereof to take and levie the summs so then being behind and unpaid: And the over-plus coming of the sale of the said distresse, (if any be) to be restored and delivered unto the owner, in forme above-remembered.

Provided always, & be it enacted by the authority aforesaid, that no person or persons shall be nominated & appointed to be high Collector or Collectors, for the second or other ensuing payment of the said severall Subsidies granted by this Act, which before that time hath been a Collector or Collectors for the first, or for any former payment of any part of the said Subsidies, unless such person and persons so to be nominated and appointed to be high Collector or Collectors for the said second, or other ensuing payment, do first shew forth before him or them by whom he shall be so nominated and appointed his Quietus est for his discharge of his collection before appointed to his charge, upon paine of one hundred pounds to be paid and forfeited by him or them that so shall nominate and appoint any such Collector, contrary to this present Act.

And it is also by the said authority enacted, that if any Inhabitants or Officers, or whatsoever person or persons, charged to and for the collection and receipt of any part or portion of the said Subsidies by any manner of meanes, according to this Act, or any person or persons for themselves, or as Keeper, Guardian, Deputy, Factor, or Attorney, of or for any person or persons, of any goods or chattels of the owner thereof, at the time of the said Assessing to be paid, being out of this Realm, or in any other part not known, or of and for the goods and chattels of any other person or persons of any Corporation, Fraternity, Mystery, or any other whatsoever Commonaltie, being corporate or not Corporate, and all persons having in their rule, governance, and custody any goods or chattels at the time of the said Assessings, or any of them to be made, or which for any cause for & by collection, or for himself, or for any other, or by reason that he hath the rule, governance, or custody of any goods chattels of any other person or persons, Corporation Commonaltie, Fraternity, Guild, or Mystery, or any such other like, or as Factor, Deputy, or Attorney, of or for any person, shall be taxed, valued, rated, and set to any summe or summs by reason of this Act, and after the taxation or assessing upon any such person or persons, as shall be charged with receipt of the same, happen to die or depart from the place where he was so taxed and set, or his goods and chattels be so eloynd, or in such privie or covert manner kept, as the said person or persons charged with the same by estreats or other writing from the said Commissioners, or as many of them as shall be thereunto appointed by the said Commission, as is aforesaid, can, nor may levy the same summe or summs, comprised within the said estreats by distresse within the limits of their collection, as is aforesaid, or cannot sell such distresse or distresses as be taken for any of the said payments before the time limited to the high Collector for his payment to be made in your Majesties receipt, then upon relation thereof with due examination by the oath or examination of such person or persons as shall

shall be charged with and for the receipt and collection of the same, before the said Commissioners, or as many of them as by the said Commission shall be thereunto appointed, where such person or persons, or other, as is aforesaid, their goods and chattels were set and taxed, and upon plaine certificate thereof made unto your Majesties Exchequer by the same Commissioners, as well of the dwelling place, names, and summes of the said persons of whom the same summes cannot be leved and bad, as is aforesaid, then as well the Constables and other Inhabitants appointed for the same particular collection against the high Collectors, as the high Collector upon his accompt and Oath in the said Exchequer, to be discharged thereof, & processe to be made for your Majesty out of the same Exchequer by the discretion of the Barons of the same Exchequer against such person, his heires or Executors, so being behind with his payment: And over, that the same Commissioners to whom all such declaration of the premises shall be made in forme aforesaid from time to time, shall have full power & authority to direct their precept or precepts, to the said person or persons charged with any summe, of for & upon any such person & persons, or other, as is aforesaid, or to any Sheriffe, Steward, Bayliffe, or other whatsoever Officer, Minister, person or persons of such place or places where any such person or persons so owing any such summe or summs shall have lands Tenements, or other hereditaments, or reall possessions, goods and chattels, whereby any such person or persons so indebted, his heires, executors, or assignes, or others, having the custody, governance, or disposition of any goods, chattels, lands, Tenements, or other hereditaments, which ought or may by this Act lawfully be distrained or taken for the same, hath and shall have goods, Chattels, lands, Tenements or other possessions, whereof such summe and summs, which by any such person and persons, may or ought to be leved, be it within the limit of such Commission, where such person or persons was or were taxed, or without in any place within this Realm of Ireland: By which precept, as well such person or persons shall be charged to levie such money, as the Officer of the place or places where such distresse may be taken, shall have full power & authority to distraine every such person indebted, charged or chargeable by this Act, or his executors or administrators of his goods & chattels, his Guardians, Factors, Deputies, Lessees, Farmers and assignes, and all other persons, by whose hands or out of whose lands any such person should have fee, rent annuitie, or other profits, or which at the time of the said assessing, shall have goods, or chattels, or any other thing moveable, of any such person or persons being indebted or owing such summe, and the distresses so taken, cause to be kept, appraised and sold in like manner and forme as is aforesaid, for the distresse to be taken upon such persons to be taxed to the said Subsidies, and being sufficient to distrain within the limits of the Collectors, Inhabitants, or other Officers charged with or for the said summes so upon them to be taxed. And if any such distress for the non-payment happen to be taken out of the limits of the said persons charged and assigned to levy the same, the person so charged for levying of any such summes by distresse, shall perceive and take of the same distresse, for the labour of every such person going for the execution thereof, for every mile that any such person so laboureth for the same, two pence: and every farmer, Tenant, Guardian, Factor, or other whatsoever person being distrayned, or otherwise charged for payment of any such summe or summes, or any other summe by reason of this Act, shall be of such summe or summes of
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him or them so levied and taken, acquitted and discharged at his next day of payment of the same, or at the delivery of such goods and chattels, as he that is so distrayned had in his custody or governance against him or them that shall be so taxed and set, any graunt or writing Obligatory, or other whatsoever matter to the contrary made heretofore notwithstanding. And if any such person that should be so distrayned, have no Lands or Tenements sufficient, whereby he and his Tenants and Farmers may be distrayned, or have Aliened, Cloyned, or hid his goods and chattells, whereby he should or might be distrained in such manner that such goods and chattells, should not be knowne or found, so that the summe of, or by him to be payd in the said Farme, shall not, ne can be conveniently levied, then upon relation thereof to the Commissioners, or to as many of them as by the said Commission shall be thereunto appoynted, where such person or persons were taxed and set by the Rates, of him or them that shall be charged with the levying and payment of that summe or summes, the same Commissioners shall make a Precept in such manner as is aforesaid for to attach, take and Arrest the body of such person or persons that ought to pay the said summes, and by this Act shall be charged with, and for the said summe or summes: And them so taken, safely to keep in prison within the County or other place where any such person or persons shall be taken and attached, there to remaine without bayle or mainprize, untill he have paid the said summe or summes, that such person for himselfe or for any other, by this Act shall be chargeable, or ought to be charged withall, and also for the fees of every such Arrest to him or them that shall execute such precept, twenty pence. And that every Officer to whom such precept shall be directed, do his due diligence, and execute the same upon every person so being indebted, upon paine to forfeit to the Kings Majesty for every default in that behalf twenty shillings. And that no keeper of any Goale, from his Goale suffer any such person to go at large, by letting to bayle, or otherwise to depart out of his prison, before he hath payed his said debt, and the said twenty pence for the said Arrest, upon paine to forfeit to your Majesty forty shillings. And the same Goaler to pay to your Majesty the double value as well of the rate which the said person so imprisoned was taxed at, as of the said twenty pence for the fees. And like processe and remedy in like forme shall be graunted by the said Commissioners, or as many of them as by the said Commission shall be thereunto appointed at like information of every person or persons, being charged with any summe of money for any other person or persons by reason of the said Subsidie, and not thereof paid, but willfully withdrayne, nor the same leviable within the limits where such persons were thereunto taxed: And if the summe or summes being behinde and unpaid by any person or persons, as is aforesaid, be levied and gathered by force of the said Processe to be made by the said Commissioners, or if in default, or for lacke of payment thereof the person or persons so owing the said summes of money by processe of the same Commissioners to be made as is aforesaid, be committed to prison in forme abovesaid, that the said Commissioners which shall adward such processe, shall make certificate thereof into the said Exchequer, of that shall be done in the premisses in the terme next following, after such summe or summes of money so being behinde, shall be levied and gathered, or such person or persons for non-payment of the same, committed to prison. And if it happen any of the said Collectors to be assigned, or any Mayors, Sheriffs, Stewards, Constables,





Constables, Bayliffes, or any other Officer or Minister, or other whatsoever person or persons to disobey the said Commissioners, or any of them, in the reasonable request to them made by the said Commissioners, for the execution of the said Commission, or if any of the Officers or other persons doe refuse that to them shall appertain or belong to do, by reason of any Precept to him or them to be directed, or any reasonable commandement, instance or request touching the Premises, or other default in any appearance or collection to make, or if any person being suspected, not being indifferently taxed, as is aforesaid, doe refuse to be examined, according to the tenure of this Act before the said Commissioners, or as many of them as shall be thereunto assigned as is aforesaid, or will not appeare before the same Commissioners upon warning to him made, or else make resistance, or rescues upon any distresse upon him to be taken for any parcell of the said severall Subsidies, or commit any misbehaviour in any manner, of wise contrary to this Act, or commit any wilfull Act or other whatsoever wilful doings or misdoing, contrary to the tenure of this Act or grant the same Commissioners and every number of them above remembred, or two of them at the least, upon probable knowledge of any such misdemeanors, had by information or examination, shall and may set upon every such offender for every such offence, in the name of a Fine by the same offender to be forfeited forty shillings, or under by the discretion of the same Commissioners. And further, the same Commissioners and every number of them, or two of them at the least, shall have authority by this present Act, to punish every such Offendor by imprisonment, there to remaine, and to be delivered by their discretion as shall seeme to them convenient. The said fines (if any such be) to be certified by the said Commissioners that so assessed the same into your Majesties Exchequer, there to be levied and paid by the Collectors of that part of the said severall Subsidies, returned into the said Exchequer, to be therewith charged with the payment of the said severall Subsidies, in such manner as if the said fines had bin set and taxed upon the said offenders, for any of the said severall Subsidies.

And be it also enacted by the said authority of this present Parliament, that every of the said high Collectors, which shall account for any part of the said severall Subsidies in the said Exchequer upon their severall Accounts to be yielded, shall be allowed at every of the said Payments of the said severall Subsidies for every pound limited, to which collection whereof any such Collector shall be charged and yield account, six pence, as parcell of his or their charge, that is to say of every pound thereof for such persons as then have had the particular collection of the Townes and other places, as is aforesaid specified in his collection, two pence, another two pence for every pound thereof, every of the said cheif Collectors or their accountants to retaine to their use for their labour and charge in and about the premises, and two pence of every pound residue to be delivered, allowed & paid by the said Collectors so being thereof allowed to such of the Commissioners as shall take upon them the businesse & labour for & about the premises that is to say, every Collector to pay that Commissioner or Commissioners which had the ordering of the writings of & for every of the said Subsidies respectively where the said Collector or Collectors had their collection for the expences, for the said Commissioners, so taking upon them the said businesse and labour of their Clerks writing of the said precepts and extracts of the said Collections, the same last two pence of every pound to be divided amongst the said Commissioners,

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having

having regard to their labour and businesse taken by them and their
 said Clarkes in and about the premisles: For which part so to the
 said Commissioners appertaining, the said Commissioners, six, five foure
 three, or two, or as many of them as shall be thereunto appointed by
 your Majesties Commission and every of them joyntly and severally
 for his and their said part, may have his remedy against the said Col-
 lector or Collectors, which thereof have been or might have been allow-
 ed by action of debt, in the which the defendant shall not wage his law,
 neither protection, neither injunction or essoyne shall be allowed, and
 that no person now being of number of the company of this present
 Parliament, nor any Commissioner shall be named or assigned to be
 any Collector or Subcollector, or presenter of the said Subsidies, or
 any part thereof, nor any Commissioner shall be compelled to make
 any presentment or certificate, other than into your Majesties said Ex-
 chequer, of, for, or concerning the said Subsidies, or any part or par-
 cell thereof. And likewise that no other person that shall be named and
 assigned to be a Commissioner, in any place to and for the execu-
 tion of this Act of Subsidy, be or shall be assigned or named head Col-
 lector of any of the payments of the said Subsidies, neither of any
 part thereof. And that every such person or persons, which shall be
 named and appoynted, as is aforesaid, to be head-Collector of and for
 the first payment of the said Subsidies and collection thereof, or of any
 part thereof, shall not be compelled to be Collector for the second, or
 any other ensuing payments of the said Subsidies, nor for any part
 thereof. And the said Collectors which shall be assigned for the col-
 lection of the said Subsidies, or any part thereof, and every of them,
 be & shall be acquitted & discharged of all manner of fees, rewards, & of
 every other charge in your Majesties Exchequer, or elsewhere, of them,
 or any of them by reason of that Collection, payments, or accompts, or
 any thing concerning the same, to be asked. And that if any person
 receive or take any fees, rewards or pleasures of any such accom-
 pnt, or use any unnecessary delay in their accompt, that then he
 shall forfeit unto your Majesty, for every penny or value of every
 penny or penny worth so taken, five shillings, and five pounds to the
 party grieved, for every such delay and suffer imprisonment at your
 Majesties pleasure. And after every taring and assessing of the said
 severall Subsidies, as is aforesaid, had or made, and the said estreats
 thereof in Parchment unto the Collector, in manner and forme be-
 fore rehearsed, delivered, the said Commissioners which shall take up-
 on them the execution of this Act within the limits of their Commis-
 sion by their agreements, shall have meetings together, at which meet-
 ing, every of the said Commissioners which then shall have taken up-
 on them the execution of any part of the said Commission, shall by him-
 selfe or his sufficient Deputy, truly certifie and bring forth unto the
 said Commissioners named in the said Commission, the certificate and
 presentment made before him and such other Commissioners as were
 limited with him in one limit, so that the same certificate may be ac-
 counted and cast with the other certificates of the other limits within
 the same Commission. And then the said Commissioners, and every
 number of them unto two at the least, as is aforesaid, if any be in life, or
 their Executors or Administrators of their goods, if they then be dead,
 shall joyntly and severally, as they were divided in their limits under
 their Seals, by their discretion, make one or severall writings indent-
 ed, containing as well the names of the said Collectors by the Com-
 missioners for such collection and accompts in the Exchequer and
 payments

payments in the same Receipt deputed and assigned, as the grosse and severall summs written unto every such collectors, to receive the said severall Subsidies respectibely, and also all fines, Amerciements, and other forfeitures, if any such by reason of this Act, happen to be within the Precinct and limit of their Commission, to be certified into your Majesties said Exchequer by the said Commissioners, in which writing or writings indented, is to be certified, shall be plainly declared and expessed the whole and entire summe or summs of the said Subsidies severally limited to the collection of the said Collectors severally deputed and assigned to the collection of the said summs, so that none of the said Collectors so certified in the said Exchequer, shall be compelled there to accompt or to be charged but onely to and for the summs limited to his collection, and not to and for any summe limited to the collection of his fellows; but every of them shall be severally charged for their part limited to their collection. And if the said Commissioners joyned in one Commission amongst themselves in that matter cannot agree, or if any of them be not ready, or refuse to make Certificate with other of the same Commissioners, that then the said Commissioners may make severall Indentures in forme aforesaid, of their severall limits or separations of Collectors, within the limits of their Commission upon and in the Baronies, Cantreds, or such other like divisions within the said severall limits of their Commission, as the places there shall require to be severed and divided, and as to the same Commissioners shall seeme good to make divisions of their limits or collections for the severall charges of the same Collectors, so that alwayes one Collector shall be charged, and accompt for his part to him to be limited onely by himself, and not for any summe limited to the part of any of his fellows, and the charges of every of the Collectors, to be set and certified severally upon them. And every such Collector upon his accompt & payment of the summe of money limited within his Collection, to be severally by himself acquitted & discharged in the said Exchequer, without paying any manner of fees or Rewards to any person or persons for the same, upon pain and penalty last above said, and not to be charged for any portion of any other Collector: and if any Commissioner after he hath taken Certificate of them, that as is aforesaid shall be before any Commissioners examined, and the summs rated and set, and the books and writings thereof being in his hands, or if any Collector or other person charged with any receipt of any part of the severall Subsidies, or any other person taxed, or otherwise by this Act charged with or for any part of the said severall Subsidies, or with any other summe, fine, Amerciament, Penalty or other forfeiture, happen to dye before the Commissioners, Collectors, or other whatsoever person or persons have executed, accomplished, satisfied, or sufficiently discharged that which to every such person shall appertayne or belong to doe according to this Act: Then the Executors and Heires of every such person, and all other seized of any Lands or tenements, that any such person being charged by this Act, and deceased before he be discharged thereof, or any other to his use onely had of estate of Inheritance, at the time that any such person was named Commissioner, Collector, or otherwise charged with or for any manner of thing to be done, satisfied or payde by reason of this Act, and all those that have in their Possessions or hands, any Goods, Chattells, Leases, or other things that were to any person or persons at the time of his death, or any Lands or Tenements that were to the same persons at the time he was, as is aforesaid, charged by

this Act, shall be by the same compelled and charged to doe and accomplish in every case, as the same person being so charged, should have done, or might have been compelled to doe, if he had been in plain life after such rate of the Lands and Goods of the said Commissioner, or Collector, as the party shall have in his hands. And if the said Commissioners for causes reasonable them moving shall think it not convenient to joyne in one Certificate, as is aforesaid, then the said person or persons that shall first joyne together, or he that shall first certifie the said writing indented, as is aforesaid, shall certifie all the names of the Commissioners of that Commission, whereupon such writing shall be there then to be certified with division of the Baronies, Cantreds, Hundreds, Tithings, and other places, to and among such Commissioners of the said Commission with the names of the same Commissioners where such separations and divisions shall be, with the grosse summs of money, as well of and for the said severall Subsidies, taxed or set, of or within the said Baronies, Cantreds, Hundreds, Tithings, or other places to him or them divided or assigned, that shall so certifie the said first writing, as of the Fines, Amerciaments, Penalties, and other forfeitures, if any happen to be within the same limits whereof the same writings shall be certified, and after such writing indented, which as is aforesaid, shall be certified, and not containe in it the whole and full summes set and taxed within the limits of the said Commission, the other Commissioners of the same, before the day of payment of the said severall Subsidies respectivelv, shall certifie into the said Exchequer by their writing or writings indented to be made, as is aforesaid the grosse and severall summs, set and taxed within the places to them limited for every of the said Subsidies respectivelv, and other Fines, Amerciaments, Penalties and forfeitures, with the names of the Baronies, Cantreds, Hundreds, Tithings, and other places to them assigned, or else by their said writings indented to certifie at the same place before the same day of payment such reasonable causes for their excuses, why they may not, make such Certificate of and for the said Subsidies, Fines, Amerciaments, and other forfeitures and causes growing or set by reason of their letts, or of their not certifying, as is aforesaid, or else in default thereof, proccesse to be made out of your Majesties said Exchequer against the said Commissioners, and every of them not making Certificate as is aforesaid by the discretion of the Court of Exchequer.

Provided alwayes, and be it further enacted by the authority aforesaid, that all and every person and persons, having Mannors, Lands, Tenements, and other Hereditaments chargeable to the payment of the said severall Subsidies granted to your Majestie by this Act, and also having spirituall possessions, chargeable, to your Majestie by the grant to be made by the Clergy of this Realm in their Convocation, and over this, having substance in goods and chattells chargeable by this said Act, that then if any of the said person or persons be hereafter charged, or assessed and taxed, for the said Mannors, Lands, Tenements, and Spirituall Possessions, and also assessed, charged, and taxed for his goods and their goods and chattells, that then he or they shall be onely charged by vertue of this Act, for his and their said Mannors, Lands, Tenements, Hereditaments and Spirituall possessions, or onely for his said Goods and Chattells, the best thereof to be taken for the Kings Majestie, and not to be charged both or doubly charged for any of them: anything in this Act contained to the contrary in any wise notwithstanding.

Provided



Provided alwayes that this grant of Subsidies, or any thing therein contained in any wise extend not to charge the Probost, Fellows, and Scholars of the Colledge of the holy Trinity next Dublin, nor any Mannors, Lands, Tenements, or other possessions, goods, chattels, or other moveable substance, which the said Probost, Fellows, and Scholars, or any others to their use, have within this Realm of Ireland: any thing in this present Act to the contrary in any wise notwithstanding.

Provided alwayes, and be it enacted by the authority aforesaid, that no Orphan or Infant within the age of one and twenty years, borne within any of your Majesties Dominions, shall be charged to any payment of these Subsidies, for his or her goods and chattels to him or her left or bequeathed: any thing in this Act contained to the contrary notwithstanding.

Provided nevertheless, and be it enacted by the authority aforesaid, that if any Alien or Stranger borne, Denizen or not Denizen, and dwelling or inhabiting within this Realm of Ireland, shall assign or convey over unto any his or their child or children, or to any other borne within any your Majesties Dominions, any his or their Lands, Tenements, Goods or Chattels, to the intent thereby to defraud your Majesty of your said Subsidies, or any part thereof, of or for the same: That then all and every such Child and Children so being seized of any such Lands and Tenements, or possessed of any such Goods or Chattels, shall be charged and chargeable to and with the payment of double the said Subsidie for the same Lands, Tenements, Goods and Chattels, at the said rates and values, as Aliens and Strangers, Denizens or not Denizens, are before limited and appointed to pay.

CAP. II.

An Act for the further granting of Two entire Subsidies by the Temporality, above the Four Subsidies now granted by this present Parliament.

Memorandum, That by this other Act of Parliament enacted at the same Sessions of this present Parliament, Two entire Subsidies more, over and above the said foure entire Subsidies granted by the said former Statute, were granted unto his Majesty, his Heirs and Successors, each of them to be paid at two payments: The first payment thereof to be made within six months next ensuing the first day of this present Sessions of Parliament, and to a like payment to be made at the end of every ensuing six months until the said Two last mentioned entire Subsidies be paid. The said Two entire Subsidies to be rated, taxed and levied of every person Spiritual and Temporal, of what estate or degree he or they be of according to the Tenor of the said former Act: And in the same manner and form, as in the said former Act is set down and appointed for the said four entire Subsidies thereby granted.

CAP. III.

An Act for confirming of Letters Patents hereafter to be past upon his Majesties commission of Grace for the remedy of Defective Titles.

Vhereas the Kings most excellent Majesty is given to understand, that divers of his good and loving Subjects, having Mannors, Lands, Tenements, and Hereditaments in use, possession, remainder, or reversion, are notwithstanding subject to much question and exception, either because that they can derive no Title from the Crowne, or because the Letters Patents wherein any Mannors, Lands, Tenements, and Hereditaments are mentioned to be passed or granted, are insufficient in the Law, defective, doubtful

doubtfull or not so plain, but that both for the present and in future times, much trouble, loss and disquiet may arise and happen to the Owners, or pretended Owners of such Mannors, Lands, Tenements, and Hereditaments, which may also be a reason to discourage them in their endeavours in improoving and husbanding their said Lands, which turnes to the damage of the Common-wealth. And where his Majestie taking knowledge of the Premises, and minding to do labour to all his loving Subjects in those cases, and to settle, establish and secure their Estates and Possessions without any further question hereafter, hath been pleased that the Lord Deputie of this Kingdom, and other Commissioners thereunto authorized, and to be authorized, should take order upon compositions for Fines or Rents, or both, to be reserved for his Majestie, as to their wisdomes should seem fit, to secure and establish the said Mannors, Lands, Tenements, and Hereditaments, by Letters Patents under the great Seal of this Kingdom, to be granted thereof according to such Estates, and in such manner and forme as in the same Letters Patents shall be mentioned or expressed. In performance of which his Majesties gracious pleasure, some compositions of that nature have been already made: and others are intended from time to time to be made, whereupon Letters Patents may be passed, as aforesaid. Be it therefore enacted by the Kings most excellent Majestie, the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the authority of the same: That all and every person or persons, Bodies Politique and Corporate, as well Spiritual as Temporal, shall and may have, hold, use, possess and enjoy all such Mannors, Lands, Tenements, and Hereditaments of what nature soever, according to the purport of the said Letters Patents for such Fines, Rents, Reservations or Duties, and with such priviledges, liberties, profits and commodities, and in such manner and forme, as in and by the said Letters Patents shall be limited and appointed. And be it further enacted by the authority aforesaid, that the said Letters Patents and every of them, and every clause, article and sentence in every of them to be contained, shall stand and be ratified, allowed, approved and confirmed by the authority of this present Parliament. And that the same Letters Patents, and every of them, shall stand and be of force to bind and conclude as well the Kings Majestie, his Heirs and Successors, as also all other parties to the same, their heirs and assignes, and all claiming by, from or under them in all things according to the purport & true meaning of the same Letters Patents. And that every Clause, Article and Sentence in them or any of them to be contained for ever, from and after the making of the same Letters Patents, shall stand, be, and remain, and be adjudged and taken to stand and be of such and the same force & effect, to all intents & purposes, as if the same Letters Patents, and every of them, and every Clause, Article and Sentence in them and every of them to be contained, were specially and particularly herein expressed, and by the authority of this present Parliament enacted. Saving nevertheless to all and every person and persons, and Bodies Politique and Corporate, their heirs and Successors, other than the Kings Highnesse, his Heires and Successors all such Actions, Estates, Possessions, Rights, Titles, Interests, Rents, uses and demands, profits, commodities, and advantages whatsoever, as they or any of them have, shall, may or ought to have, of, in, to, or out of all or any the Premises, in such and in the same estate, degree, plight, manner and forme, to all intents and purposes

purposes as if this Act had never been had, ne made.

Statuta, Ordinationes, Actus & Provisiones in Parlamento prædicto apud castrum Dublin, prædicto die Martis, viz. quarto die Novembris, anno regni dicti Domini Regis Anglie, Scotie, Francie & Hibernie decimo, coram præfato Deputato, similiter tento & ibidem continuato, usque ad decimum quintum diem Decembris tunc proxime sequentis, & ibidem prorogatum abinde usque ad viciesimum sextum diem Januarii tunc proxime sequentis, edita in hæc verba.

C A P. I.

An Act expressing an Order for uses, Wills, and Enrollments.

VHere by the Common Lawes of this Realm, Lands, Tenements, and Hereditaments be not divisible by Testament, Eng. 6. 27. D. 8. cap 10. nor ought to be transferred from one to another, but by solemn livery and seizin, matter of Record or Writing sufficiently made bona fide, without covin or fraud, yet nevertheless divers and sundry imaginations, subtil inventions and practises have been used, whereby the Hereditaments of this Realm have been conveyed from one to another, by fraudulent Feoffments, Fines, Recoveries and other assurances, craftily made, to secret uses, intents and trusts, and also by Wills and Testaments sometime made by nude parolx and words, sometime by signs and tokens, and sometime by writing, and by the most part made by such persons as be visited with sickness in their extreme agonies and pains, or at such time as they have had scanty any good memory or remembrance, at which times they being provoked by greedy and covetous persons, lying in wait about them, do many times dispose indiscreetly and unadvisedly, their Lands and Hereditaments, by reason whereof, & by occasion of which fraudulent Feoffments, fines, recoveries, & other like assurances to uses, confidences & trusts, divers and many Heirs have been unjustly at sundry times disinherited, the Lords lost their Wards, Marriages, Reliefs, Rerriots, Escheats, Aides, Pur fair siz chivaler, & Pur file marier, and scanty any person can be certainly assured of any Lands by them purchased, nor known surely against whom they shall use their actions or execution for their Rights, Title and Duties. Also men married have lost their Tenancies by the courtesie, Women their Doweres, and manifest perjuries, by tryal of such secret Wills and Uses have been committed. The Kings Highnesse hath lost the profits and advantages of the Lands of persons attainted, and the Lands craftily put in Feoffment to the uses of Aliens borne, and also the profits of wales for a yeare and a day, of Lands, of Felons attainted, and the Lords their Escheats thereof, and many other inconveniences have happened, and daily do increase among the Kings Subjects, to their great trouble and inquietnesse, and to the utter subversion of the ancient Common Lawes of this Realm. For the extirping and extinguish- the same op- ment of all such subtil practised Feoffments, Fines, Recoveries, abuses and errors heretofore used and accustomed in this Realm, to the subversion of the good and ancient Lawes of the same, and to the intent that the Kings Highnesse, or any other his Subjects of this Realm, shall not in any wise hereafter, by any means or inventions, be deceived, damaged, or hurt, by reason of such trusts, uses, or confidences. It may please the Kings most Royal Majesty, that it may be enacted by his Highnesse, by the assent of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by authority of the same, in manner and forme following, that is to say: That where any person or persons stand or be seized, or at any time hereafter shall happen to be seized, of and in any Honours, Castles,

Hanyors, Lands, Tenements, Rents, Services, Reversions, Remainders, or other Hereditaments, to the use, confidence, or trust of any other person or persons, or of any body politique, by reason of any bargain, sale, feoffment, fine, recovery, covenant contract, agreement, will or otherwise, by any manner means whatsoever it be, that in every such case all and every such person or persons and bodies politique, that have, or hereafter shall have any such use, confidence or trust, in fee simple, fee tayle, for Term of life, or years, or otherwise: or any use, confidence, or trust, in remainder or reverter, shall from henceforth stand and be seized, deemed, and adjudged in lawfull seizin, estate, and possession of and in the same Honors, Castles, Mannors, Lands, Tenements, Rents, Services, Reversions, Remainders, and Hereditaments with their appurtenances, to all intents, constructions and purposes in the law, of and in such like estates, as they had or shall have, in use, trust or confidence of or in the same. And that the estate, title, right and possession that was in such person or persons that were, or hereafter shall be seized, of any Lands, Tenements, or Hereditaments, to the use, confidence or trust of any such person or persons, or of any body politicke, be from henceforth clearly deemed and adjudged to be in him or them that have, or hereafter shall have such use, confidence, or trust after such quality, manner, form and condition, as they had before, in or to the use, confidence, or trust that was in them.

And be it further enacted by the authority aforesaid, that where divers or many persons be, or hereafter shall happen to be, joyntly seized of and in any Lands, Tenements, Rents, Reversions, Remainders, or other Hereditaments, to the use, confidence, or trust of any of them that be so joyntly seized, that in every such case that those person or persons, which have, or hereafter shall have any such uses, confidence, or trust in any such Lands, Tenements, Rents, Reversions, Remainders, or Hereditaments, shall from henceforth have, and be deemed and adjudged to have, onely to him or them that have, or hereafter shall have such use, confidence or trust, such estate, possession and seizin of and in the same Lands, Tenements, Rents, Reversions, Remainders, or other Hereditaments in like nature, manner, form, condition, and course as be or they had before in the use, confidence or trust of the same Lands, Tenements or Hereditaments. Saving and reserving to all and singular persons and bodies politique, their heirs and successors, other than those person or persons which be seized or hereafter shall be seized of any Lands, Tenements, or Hereditaments, to any use, confidence or trust, all such right, title, entry, interest, possession, rents, and action, as they or any of them had, or might have had before the making of this Act.

And also saving to all and singular those persons, and to their heirs which be, or hereafter shall be seized to any use, all such former right, title, entry, interest, possession, rents, customes, services, and actions, as they or any of them might have had to his or their own proper use, in or to any Mannors, Lands, Tenements, Rents, or Hereditaments, whereof they be, or hereafter shall be seized to any other use, as if this present Act had never been had or made: any thing contained in this Act to the contrary notwithstanding.

And where also divers persons stand and be seized of and in any Lands, Tenements or Hereditaments, in fee simple, or otherwise, to the use or intent that some other person or persons shall have and perceiue yearly to them and to his or their heirs, one annual rent of ten pounds, or more, or lesse, out of the same Lands and Tenements, and some other person, one annuall rent to him and his assigns, for term

term of life or years, or for some other speciall time, according to such intent and use as hath been heretofore declared, limited, and made thereof

Be it therefore enacted by the authority aforesaid, that in every such case, the same person, their heirs and assigns, that have such use and interest, to have and perceive any such annuall Rents out of any Lands, Tenements, or Hereditaments, that they and every of them, their heirs and assigns, be adjudged and deemed to be in possession and seizin of the same rent, of & in such like estate, as they had in the title, interest, or use of the said rent or profit, and as if a sufficient grant, or other lawfull conveyance had been made and executed to them by such as were or shall be seized to the use or intent of any such rent to be had, made or payed according to the very trust and intent thereof. And that all and every such person or persons as have, or hereafter shall have any title, use and interest, in or to any such rent or profit, shall lawfully distraine for non-payment of the said rent, and in their owne names make adbouries, or by their Bayliffs or Serbants make recognizances and justifications, and have all other suits, entries and remedies for such rents, as if the same rents had been actually and really granted to them, with sufficient clauses of distrelle, re-entry, or otherwise, according to such conditions, pains, or other things limited and appointed upon the trust and intent for payment or surety of such rent.

And be it further enacted by the authority aforesaid, that whereas divers persons have purchased or have estate, made and conveyed, of & in divers Lands, Tenements or Hereditaments, unto them, and to their wives, and to the heire of the husband, or to the husband, and to the wife and to the heirs of their two bodies begotten, or to the heirs of one of their bodies begotten, or to the husband and to the wife, for term of their lives, or for terme of life of the said wife: or where any such estate or purchase of any Lands, Tenements or Hereditaments hath been or hereafter shall be made to any husband and to his wife, in manner and forme abobe expressed, or to any other person or persons and to their heirs and assigns to the use and behoof of the said husband and wife, or to the use of the wife as is before rehearsed, for the joynture of the wife: that then in every such case, every woman married having such joynture made, or hereafter to be made, shall not clayme nor have title to have any dower of the residue of the Lands, Tenements or hereditaments that at any time were her said Husbands by whom she hath any such joynture, nor shall demaund nor clayme her dower of and against them that have the Lands and inheritances of her said husband. But if she have no such joynture, then she shall be admitted and enabled to pursue, have and demaund, her dower by writ of dower, after the due course and order of the Common Lawes of this Realm: this Act or any Law or Provision made to the contrary thereof notwithstanding.

Provided alway, that if any such woman be lawfully expelled or evicted from her said Joynture, or from any part thereof, without any fraud or covin, by lawfull entrie or action or by discontinuance of her husband: then every such woman shall be endowed of as much of the residue of her husbands Tenements or Hereditaments, whereof she was before dowable, as the same Lands and Tenements so evicted and expelled, shall amount or extend unto.

Provided also that this Act, nor any thing therein containd or expressed, extend not or be in any wise hurtfull or prejudiciall to any woman or women heretofore being married of, for, or concerning such

right, title, use, interest, or possession, as they or any of them have, clayme or pretend to have for her or their Joynture or dower, of, in or to any Mannors, Lands, Tenements or other Hereditaments of any of their late husbands, being now dead or deceased: any thing contayned in this Act to the contrary notwithstanding.

Provided also, that if any Wife have, or hereafter shall have any Mannors, Lands, Tenements or Hereditaments unto her given or assigned after the marriage for term of her life, or otherwise in joynture, except the same assurance be to her made by Act of Parliament, and the said wife after that fortune to over-live the same her husband, in whose time the said Joynture was made or assured unto her, that then the same wife so over-libeing, shall and may at her libertie, after the death of her said late husband, refuse to have and take the Lands and Tenements so to her given, appointed or assured during the Coverture for terme of her life, or otherwise in Joynture: except the same assurance be to her made by Act of Parliament, as is aforesaid, and thereupon to have, ask, demand, and take her Dower by writ of Dower, or otherwise, according to the Common Law, of and in all such Lands, Tenements, and Hereditaments, as her husband was and stood seized of any estate of Inheritance, at any time dureing the Coverture: any thing contained in this Act to the contrary in any wise notwithstanding.

Provided also, that this present Act, nor any thing therein contained, extend not or be at any time hereafter interpreted, expounded or taken to extinct, release, discharge, or suspend any statute, Recognizance, or other Bond by the execution of any estate, of or in any Lands, Tenements or Hereditaments, by the authority of this Act to any person or persons, or bodies politique: any thing contained in this Act to the contrary notwithstanding.

And for as much as great ambiguities and doubts may arise by the validity and invalidity of Wills heretofore made of any Lands, Tenements and Hereditaments, to the great trouble of the Kings Subjects: The Kings most royall Majestie minding the tranquillity and rest of his loving Subjects, of his most excellent and accustomed goodnesse, is pleased and contented, that it be enacted by the authority of this present Parliament, that all manner of true and just Wills and Testaments heretofore made by any person or persons deceased, or that shall decease before the first day of May, which shall be in the year of our Lord, one thousand five hundred thirty and five, of any Lands, Tenements, or other Hereditaments, shall be taken and accepted good and effectuell in the Law, after such fashion, manner & forme, as they were commonly taken and used at any time within forty years next before the making of this Act: any thing contained in this Act, or in the preamble thereof, or any opinion of the Common Law to the contrary thereof notwithstanding.

Provided alwayes, that the Kings Highnesse shall not have, demand or take any advaintage or profit, for or by occasion of executing of any estate onely by authority of this Act, to any person or persons, or bodies politique, which now have, or on this side the said first day of May, which shall be in the year of our Lord, one thousand five hundred thirty & five, shall have any use or uses, trusts or confidences in any Mannors, Lands, Tenements, or Hereditaments holden of the Kings Highnesse, by reason of primer seizin, liberty, Ouster le maine, fine for Alienation, reliefe, or herriots: but that fines for Alienations, reliefs, and herriots shall be paid to the Kings Highnesse. And also liberties, and Ouster le
maines

maines, shall be sued for uses, trusts and confidences to be made and executed in possession, by authority of this Act, after and from the said first day of May, of Lands and Tenements, and other Hereditaments, holden of the King, in such like manner and forme, to all intents constructions & purposes, as hath heretofore been used or accustomed by the order of the Laws of this Realm.

Provided also, that no o her person or persons, or bodies politike of whom any Lands, Tenements, or Hereditaments, be, or hereafter shall be holden mediate or immediate, shall in any wise demand or take any fine, relief, herriot, for or by occasion of the executing of any estate by the authority of this Act, to any person or persons, or bodies politique, before the said first day of May.

And be it enacted by the authority aforesaid, that all and singular person and persons, and bodies politike, which at any time on this side the said first day of May, shall have any estate unto them executed of & in any Lands, Tenements, or Hereditaments, by the authority of this Act, shall and may have and take the same or like advantage, benefit, bowcher, ayde, prayer, remedy, commoditie, and profit, by action, entry condition, or otherwise to all intents, constructions and purposes, as the person or persons seized unto their use, of or in any such Lands, Tenements, or Hereditaments so executed, had, should, might or ought to have had, at the time of the execution of the estate thereof, by the authority of this Act, against any other person or persons, of or for any waste, disseizin, trespassse, condition broken, or any other offence, cause, or thing, concerning or touching the said Lands or Tenements, so executed by the authority of this Act.

Provided also, and be it enacted by the authority aforesaid, that actions now depending against any person or persons seized of or in any Lands, Tenements, or Hereditaments, to any use, trust, or confidence, shall not abate nor be discharged for or by reason of executing any estate thereof, by authority of this Act, before the said first day of May: any thing contayned in this Act to the contrary notwithstanding.

Provided also, that this Act, nor any thing therein contayned, shall not be prejudiciall to the Kings Highnesse for wardshippes of Heires, now being within age, nor for Liberries, nor for Ouster lemaines to be sued by any person or persons, now being within age, or of full age, of any Lands, or Tenements, unto the same Heire or Heires now already descended: any thing in this Act contayned to the contrary notwithstanding.

Provided also, and be it enacted by the authority aforesaid, that all and singular Recognizances heretofore knowledged, taken or made to the Kings use, for or concerning any Recoveries of any Lands, Tenements, or hereditaments, heretofore used or had by Writ, or Writs of entry upon disseizin in le post, shall from henceforth be utterly void and of none effect, to all intents, constructions and purposes.

And be it further enacted by the authority of this present Parli-
ment, that from the first day of May, which, shall be in the yeare of eng:ft 27
our Lord God one thousand six hundred thirty and five, no Mannors, 8: cap: 16
Lands Tenements, or other Hereditaments, shall passe, alter or change
from one to another, whereby any state of Inheritance of Freehold
shall be made or take effect in any person or persons, or any use thereof
to be made, by reason onely of any bargain and sale thereof, except the
same bargain and sale be made by writing indented, seald and inrolled
in any of the Kings Courts of Record at Dublin, or else within the
same County or Counties where the same Mannors, Lands or Tene-
ments

ments so bargained and sold, lye or be, before the Custos Rotulorum, and two Justices of the Peace, and the Clarke of the Peace of the same County or Counties, or two of them at the least, whereof the Clarke of the Peace to be one: And the same Inrollment to be had and made within six Months next after the date of the same Writings indented. The same Custos Rotulorum, or Justices of the Peace, and Clarke, taking for the Inrollment of every such Writing indented before them, where the Lands comprised in the same Writings, exceede not the yearely value of forty shillings, two shillings, that is to say, twelve pence to the Justices, and twelve pence to the Clarke, and for the inrollment of every such Writing indented before them, wherein the Lands comprised exceede the summe of forty shillings in yearely value, five shillings, that is to say, two shillings six pence to the Justices, and two shillings six pence to the said Clarke for the Inrolling of the same. And that the Clarke of the Peace for the time being within every such County, shall sufficiently inroll and ingrolle in parchment, the same Deeds or Writings indented, as is aforesaid, and the rolls thereof at the end of every yere, shall deliver unto the said Custos Rotulorum of the same County for the time being, there to remaine in the custody of the said Custos Rotulorum for the time being, amongst other Records of the same Counties, where any such Inrollments shall be so made, to the intent that every party that hath to doe therewith, may resort and see the Effect and Tenor of every such Writing so Inrolled

Provided alwayes, that this Act nor any thing therein containned, extend to any mannor Lands, Tenements, or Hereditaments, lying, or being within any Citty, Burrough, or Towne corporate within this Realm, wherein the Mayors, Recorders, Chamberlaines, Bayliffes or other officer or Officers, have authority, or have lawfully used to inroll any evidences, deeds, or other writings within their Precincts or Limits: any thing in this Act contained to the contrary notwithstanding.

CAP. II.

An Act how Lands, Tenements, &c. may be disposed by Will, or otherwise. And concerning Wards and primer seizin.

eng:st 32
8: cap: 1

V Here the Kings most Royall Majestie, in all the time of his most gracious and noble Reigne, hath ever been a mercifull, loving, benevolent, and most gracious Sovereigne Lord, unto all and singular his loving and obedient Subjects in such wise as all his said Subjects be most bounden to the uttermost of all their powers and graces by them received of God to render and give unto his Majestie their most humble reverence and obedient thanks and services, with their dayly and continuall prayer to Almighty God, for the continuall preservation of his most Royall Estate in most Kingly honour and prosperity. Yet alwayes his Majestie being repleat and endowed by God with grace, goodnesse and liberality, most tenderly considering, that his said obedient and loving Subjects cannot use and exercise themselves according to their Estates, Degrees, Faculties and Qualities, or to beare themselves in such wise, as that they may conveniently keep and maintaine their Hospitality and Families, nor the good education and bringing up of their lawfull Generations, which in this Realm, (Laude be to GOD) is in all parts very great and abundant, but that in manner of necessity, as by dayly experience is manifested and knowne, they shall not be able of their proper Goods, Chattells and other moveable substance to discharge their debts, and after their degrees, set forth and advance their Children and Posterity. Wherefore our said Sovereigne Lord most vertuously considering the

[mortality

mortality that is in every person at Gods Will and pleasure most common and uncertaine, of his most blessed disposition and liberality being willing to reliebe and help his said Subjects in their necessities and debility, is contented and pleased, that it be ordained and enacted by authority of this present Parliament, in mannor and forme as hereafter followeth: That is to say, That all and every person and persons, having, or which hereafter shall have any Mannors, Lands, Tenements, or Hereditaments, holden in socage, or of the nature of socage tenure, and not having any Mannors, Lands, Tenements, or Hereditaments, holden of the King our Sovereigne Lord by knights service, by socage tenure in chief, or of nature of socage tenure in chief, nor of any other person or persons by knights service, from the first day of May, in the yere of our Lord God, one thousand six hundred thirty and five, shall have full and free liberty, power and authority to give, dispose, will and devise, as well by his last Will and Testament in writing or otherwise by any Act or Acts lawfully executed in his life, all his said Mannors, Lands, Tenements, or Hereditaments, or any of them at his free will and pleasure, any law, statute, or other thing heretofore had, made, or used to the contrary notwithstanding. And that all and every person and persons having Mannors, Lands, Tenements, or Hereditaments, holden of the King our Sovereigne Lord, his heires or successors in socage, or of the nature of socage tenure in chief, and having any other Mannors, Lands, Tenements, or Hereditaments holden of any other person or persons in socage, or of the nature of socage tenure, and not having any Mannors Lands, Tenements, or Hereditaments holden of the King our Sovereigne Lord by knights service, nor of any other Lords or person by the like service, from the said first day of May in the said yere of our Lord God, one thousand six hundred thirty and five, shall have full and free liberty, power, and authority to give, will, dispose and devise as well by his last Will or Testament in writing, or otherwise by any Act or Acts lawfully executed in his life, all his said Mannors Lands, Tenements, and Hereditaments, or any of them at his free will and pleasure, any Law, Statute, Custome, or other thing heretofore had, made or used to the contrary notwithstanding. Saving alway and reserving to the King our Sovereign Lord, his Heirs and Successors all his right, title and interest of primer seizin and relieves, and also all other rights and duties for tenures in socage, or of the nature of socage tenure in chief, as heretofore hath been used and accustomed, the same Mannors Lands Tenements, and Hereditaments, to be taken, had and sued out of, and from the hands of his highnesse, his Heires and Successors, by the person or persons, to whom any such Mannors, Lands, Tenements or Hereditaments shall be disposed, willed, or devised in such and like manner and forme as hath been used by any Heire or Heires before the making of this Statute. And saving and reserving also fines for Alienations of such Mannors, Lands, Tenements, or Hereditaments holden of the King our Sovereigne Lord in socage, or of the nature of socage tenure in chief, whereof there shall be any alteration of freehold or Inheritance, made by Will or otherwise, as is aforesaid. And it is further enacted by the authority aforesaid, that all and singular person and persons, having any manors, Lands, Tenements or Hereditaments of estate of Inheritance holden of the Kings Highnesse in chief by knights service, or of the nature of knights service in chief, from the said first day of May, shall have full power and authority by
his

his last will, by writing, or otherwise by any Act or Acts lawfully executed in his life, to give, dispose, will or assigne two parts of the same Mannors, Lands, Tenements, or Hereditaments, in three parts to be divided, or else as much of the said Mannors, Lands, Tenements or Hereditaments, as shall extend or amount to the yearly value of two parts of the same in three parts to be divided in certainty, and by speciall divisions, as it may be knowne in severalty, to and for the advancement of his Wife, preferment of his Children, and payment of his debts, or otherwise at his will and pleasure: any Law, Statute, Custome, or other thing to the contrary thereof notwithstanding. Saving and reserving to the King our Soberaign Lord, the Custody, Wardship, and Primer seizin, or any of them, as the case shall require, of as much of the same Mannors, Lands, Tenements, or Hereditaments, as shall amount and extend to the full and cleare yearly value of the third part thereof, without any diminution, dower, fraud, covin, charge or abridgement of any of the same third part, or of the full profits thereof. Saving also and reserving to the King our Soberaign Lord, all fines for Alienations of all such Mannors, Lands, Tenements, and Hereditaments holden of the King by Knights service in chief, whereof there shall be any alteration of free-hold or Inheritance, made by will, or otherwise, as is above said. And be it enacted by the authority aforesaid, that all and singular person and persons having Mannors, Lands, Tenements, or Hereditaments of estate of Inheritance holden of the King in chief by Knights service, and having other Mannors, Lands, or Hereditaments holden of the King, or of any other person or persons by Knights service, or otherwise, every such person or persons from the said first day of May, shall have full power and authority to give, dispose, will or assigne by his last will in writing, or otherwise by any Act or Acts lawfully executed in his life two parts of the same Mannors, Lands, Tenements, & Hereditaments in three parts to be divided, or else as much of the same Mannors, Lands, Tenements, & Hereditaments, as shall extend or amount to the yearly value of two parts of the same, in three parts to be divided in certainty & by speciall divisions, as it may be known in severalty, to and for the advancement of his wife, preferment of his children, and payment of his debts, or otherwise at his will and pleasure: Any Law, Statute, Custome, or other thing to the contrary thereof notwithstanding. Saving alway and reserving to the King our Soberaign Lord, the Custody, Wardship and Primer seizin, or any of them, as the case shall require, of as much of the same Mannors, Lands, Tenements, or other hereditaments, as shall amount and extend to the full and cleare yearly value of the third part thereof, without any manner of diminution, dower, fraud, covin, charge or subtraction of the same third part, or the full profits thereof. Saving alway and reserving to our said Soberaign Lord the King, all fines for alienation of any such Mannors, Lands, Tenements, or Hereditaments, holden of the King by Knights service in chief, whereof there shall be any alteration of free-hold or inheritance, made by will or otherwise, as is above said. Be it further enacted by the authority aforesaid, that if any person or persons hold any Mannors, Lands Tenements or Hereditaments only of any other Lord or person then the King our said Soberaign Lord by Knights service, and other lands and Tenements in soccage, or of the nature of soccage tenure, that then every such person shall or may, give dispose, or assure by his last will, or otherwise, by any Act or Acts lawfully executed in his life, two parts of the said Mannors, Lands, and

and Tenements, holden by Knights service, or of as much thereof as shall amount to the full yearly value of two parts, in manner and forme as is above declared. And also all the Lands and Tenements holden by socage or of the nature of socage tenure, at his will and pleasure, as is above written. Saving and reserving to the Lords of the Lands and Tenements, holden by Knights service, for his custody and wardship, as much of the same Lands and Tenements as shall extend and amount to the full and cleare yearly value of the third part of the same Lands and Tenements holden by knights service, without any diminution, dower, fraud, covin, charge or subtraction of any portion of that third part, or of the cleare yearly value thereof in manner and forme aforesaid. And be it further enacted by the authority aforesaid, that if any person or persons hold any Mannors, Lands, Tenements, or hereditaments only of the King our Sovereigne Lord by knights service, and not in chief, or hold any Mannors, Lands, Tenements or hereditaments of our said Sovereigne Lord by knights service, and not in chief, and also hold other Mannors, Lands, Tenements, and other hereditaments, of any other person or persons by knights service, and also hold other Mannors, Lands, Tenements or hereditaments of any other person or persons in socage, or of the nature of socage tenure: that then all and every such person and persons shall and may, give, dispose, will, devise, and assure by his last will, or otherwise by any Act or Acts lawfully done and executed in his life time, two parts of the same Mannors, Lands, Tenements and hereditaments, holden of our said Sovereigne Lord the King by knights service, and two parts of the Mannors, Lands, Tenements and hereditaments, holden of any person or persons by knights service, or as much of either of them as shall amount to the full yearly value of two parts, in manner and forme, as is above declared: and also of all his Lands and Tenements so holden in socage, or of the nature of socage tenure, at his free will and pleasure. Saving and reserving to the Kings Highnesse the custody and wardship of as much of the same Mannors, Lands, Tenements, or other hereditaments as shall extend and amount to the full and cleare yearly value of the third part of the said Mannors, Lands, Tenements and hereditaments so holden of his Highnesse by knights service without any diminution, dower, fraud, covin, charge and subtraction of any portion of that third part, or of the full profits thereof. And also saving and reserving to the Lords of whom any of the said Mannors, Lands, Tenements, or other hereditaments be holden by knights service for the custody and wardship, as much of the same Mannors, Lands, Tenements or hereditaments, holden of them, or any of them by knights service as shall extend and amount to the full and cleare yearly value of the third part of the same, without any diminution, charge, fraud, covin, or subtraction of any portion of that third part, or of the cleare yearly value of the third part thereof, in manner and forme above declared.

Provided alway, and it is further enacted by the authority aforesaid, that if that third part of the Mannors, Lands, Tenements, or hereditaments of any of the Kings Subjects, which in any of the cases above said, shall hereafter come to the Kings Highnesse, his Heires or Successors by vertue of this Act, as is above said, be not, or doe not amount to the cleare yearly value of the third part of all the said Mannors, Lands, Tenements, or other hereditaments, whereof the Kings Highnesse is or shall be intituled to have the custody or primer seizin

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feizin, as is abovesaid: That then our said Soberaigne Lord and his Heires, shall and may at his or their free liberry and pleasure, take, into his or their hands and possession, as much of the other two parts of the said Mannors, Lands Tenements, and other Hereditaments, as with that of the same Mannors, Lands, Tenements, or Hereditaments holden, remaining in the Kings hands, shall make up the cleare yearly value of the full third part of the said Mannors, Lands, Tenements and Hereditaments so to be had to the Kings Highnesse in title of Wardship and primer feizin, or any of them, as the case shall require. And like benefit and advantage to be given to every Lord and Lords, of whom any such Mannors, Lands, Tenements, or Hereditaments, ben or shall be holden by knights service, as is abovesaid, concerning onely his third part of or for title of Wardship.

Provided alway and be it further enacted by the authority aforesaid that every person and persons shall sue their Liberries for possessions, reversions or remainders, and also pay relieves and heriots after such manner and forme, as they should or ought to have done before the making of this Act, and as if this Act had never ben made. And that fines for Alienations shall be paid in the Kings Chancery, for and upon Writs of entry in the post, to be obtained in the same Court of Chancery, after the said first day of May, for common Recoveries to be had or suffered of any Mannors, Lands, Tenements or Hereditaments, holden of the King in chief, in like manner and forme, as is used upon Alienations of such Mannors Lands, Tenements, or Hereditaments so holden in chief, by fine or feoffment.

Provided also, and be it enacted by the authority aforesaid that in such cases where fines for Alienations shall be paid in the Kings Chancery for Writs of entry in the post, as is aforesaid, that then none other fine shall be paid in the same Court for any such Writs: Any usage or custome to the contrary thereof notwithstanding.

And be it further enacted by the authority aforesaid, That where two or more persons now hold or hereafter shall hold any Mannors, Lands, Tenements, or Hereditaments of the King our Soberaigne Lord by knights service jointly to them, and to the Heires of one of them, and be that hath the Inheritance thereof, dyeth his Heire being within age, that in every such case the King shall have the Ward and the marriage of the body of such Heire so being within age, the life of the freholder or freholders of the said Mannors Lands, Tenements, or Hereditaments, so holden by knights service notwithstanding. Saving and reserving to all and every woman and women all and every such right, title, and interest of dower, as they or any of them ought to have, or be, or shall be justly intituled to have claime or demand of any Mannors Lands, Tenements, or Hereditaments, by the Lawes of this Realm to be taken or assigned unto them, or any of them out of the two parts of the said Mannors, Lands, Tenements, or Hereditaments, severed and divided from the third part as is abovesaid, and not otherwise. And saving also to the King our Soberaign Lord, his Heires and Successors, the reversions of all such Tenants in joint tenure and dower, immediately after the death of all such Tenants if they shall happen to dye during the minority of the Kings Wards.

And further for a plaine declaration and explanation of all and every the Clauses, Sentences and Articles above in this present Act contained, mentioned or expessed, and for the avoyding of all ambiguities doubts and questions that may arise in the Exposition of the before mentioned

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mentioned Premises: And to the intent and purpose that the Kings obedient and loving Subjects shall and may take the commodity and advantage of the Kings said gracious and liberall disposition: The Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, most humbly beseechen the Kings Majesty, that the meaning of all and every the Clauses, Sentences and Articles above in this present Act contained, concerning such matters hereafter rehearsed, may be by the authority of this present Parliament enacted taken, expounded, declared and explained in form and manner following. First where it is in this Act before expressed, that all and singular person and persons having any Mannors, Lands, Tenements or Hereditaments, of Estate of Inheritance, should have full and free power, liberty and authority to give, will, dispose, or assigne, as well by his last Will and Testament in writing, or otherwise, by any Act or Acts lawfully executed in his life, his Mannors, Lands, Tenements or Hereditaments, or any of them, in such manner and form as is herein formerly contained and specified. Which words (of Estate of Inheritance) by the Authority of this present Parliament is and shall be declared, expounded, taken and judged of Estates in fee Simple onely. And also, that all and singular person and persons, having a sole Estate in fee Simple, or seized in fee Simple, in Coparcenerie, or in Common in fee Simple, of and in any Mannors, Lands, Tenements, Rents, or other Hereditaments in possession, reversion, or remainder, or of rents or services, incident to any reversion or remainder, and having no Mannors, Lands, Tenements, or Hereditaments holden of the King, his Heires or Successors, or of any other person or persons by Knights service, shall have full and free liberty, power and authority to give, dispose, will, or devise to any person or persons (except bodies politike & corporate) by his last Will and Testament in writing or otherwise by any Act or Acts lawfully executed in his life by himself solely, or by himself and others, joyntly, severally, or particularly, or by all those waies, or any of them, as much as in him of right is, or shall be all his said Mannors, Lands, Tenements Rents, and Hereditaments, or any of them, or any Rents, Commons, or other profits or Commodities, out of, or to be perceived of the same, or out of any parcell thereof, at his owne free will and pleasure: Any Clause in this Act formerly mentioned notwithstanding.

And further be it declared and enacted by the Authority aforesaid, that all and singular person and persons, having a sole estate or interest in fee simple, or seized in fee simple in Coparcenerie, or in Common in fee simple, of or in any Mannors, Lands, Tenements, Rents, or Hereditaments in possession, reversion or remainder, or of and in any rents or services incident to any reversion or remainder, holden of the King by Knights service in cheif, or of the nature of Knights service in cheif, hath, and by the authority of this present Parliament shall have full and free liberty, power and authority, to give, dispose, will, or assigne to any person or persons (except bodies politick and corporate) by his last Will and Testament in writing, or otherwise, by any Act or Acts lawfully executed in his life, by himself solely, or by himself and others joyntly, severally, or particularly, or by all those waies, or any of them, as much as in him of right is, or shall be, two parts of all the said Mannors, Lands, Tenements, rents and Hereditaments, as of all & singular his other rents and Hereditaments, or of any of them, or any rents, Commons, or other profits or commodities, out of, or to be perceived of the same

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this Act.
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D: 8 cap: 5

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two parts, or out of any parcell thereof, in three parts to be divided, or as much thereof as shall amount to the full and cleare yearly value of two parts thereof, in three parts to be divided, of what person or persons soever they be holden, at his free will and pleasure. And that by the authority aforesaid, the said Will so declared, shall be good and effectuell for two parts of the said Mannors, Lands, Tenements, and Hereditaments, although the Will so declared, be made of the whole, or more than two parts of the same. The same division to be made and set forth by the Divisor or Owner of the same Mannors, Lands, Tenements, and Hereditaments, by his last Will in writing, or other wise in writing. And in default thereof by a Commission to be granted out of the Kings Court of the Wards and Liveries, upon the inquirie of the true value thereof, by the oaths of Twelve men, and returne or certificate thereof had in the same Court, of the said Mannors, Lands, Tenements, and Hereditaments, division to be made by the Master of the Wards and Liveries, if the Master of the Wards and Liveries for the time being, and the parties thereunto cannot otherwise agree upon the same division. And that the issues and profits of the two parts of the same Mannors, Lands, Tenements and Hereditaments upon every such division, to be restored to them that shall have right or title to the same, from the death of the Owner or Divisor thereof.

And further be it enacted and declared by the authority aforesaid, That all and singular person and persons, habeing sole estate or interest in fee simple, or seized in fee simple, in Copercenerie, or in Common in fee simple, of and in any Mannors, Lands, Tenements, Rents or other Hereditaments in possession, reversion, or remainder, or of and in any Rents or services incident to any reversion, or remainder, holden of the King, his heirs or successors, by knights service, and not in Chief, or holden of any other person or persons by knights service, shall have full and free liberty, power and authority to give, dispose, will, or devise, to any person or persons (except bodies politick and corporate) by his last Will and Testament in writing, or otherwise, by any Act or Acts lawfully executed in his life by himselfe solely, or by himself and another jointly, severally, or particularly, or by all those waies, or any of them, as much as in him of right is, or shall be, two parts of all the said Mannors, Lands, Tenements and Hereditaments, or any of them so holden by knights service, or any Rents, commons, or other profits or commodities, out of, or to be perceived of the same two parts, or out of any parcell thereof in three parts to be divided or as much thereof as shall amount to the full and cleare yearly value of two parts thereof in three parts to be divided, at his free will and pleasure. And that the said Will so declared by authority aforesaid, shall be good and effectuell for two parts of the said Mannors, Lands, Tenements, or Hereditaments, although the Will so declared, be or shall be made of the whole Lands and Tenements so holden by knights service or of more than of two parts of the same. And also for the whole of all other such Mannors, Lands, Tenements, or Hereditaments, or any of them not holden of the King by knights service in chief, or otherwise by knights service, nor of any other person by knights service, and of any Rents, commons, or other profits or commodities, out of, or to be perceived of the same, or out of any parcell thereof, at his free will and pleasure. The same division to be made and set forth by the Owner of the said Mannors, Lands, Tenements, and Hereditaments, by his last Will and Testament in writing, or otherwise in writing. And



in default thereof for so much of the same Mannors, Lands, Tenements and Hereditaments, as shall concerne the Kings interest by Commission, to be directed out of the Kings Court of the Wards and Liveries, in manner and forme, as is aforesaid, if the Master of the Wards and Liveries for the time being, and the Parties thereunto cannot otherwise agree upon the same division: And that restitution of the issues and profits of the two parts thereof shall be had and made in manner and forme abovesaid. And for such of the same Mannors, Lands, Tenements, and Hereditaments, as shall concern the interest of any other Lord or Lords by Commission to be granted out of the Kings Court of Chancery to inquire thereof by the oathes of twelve men, if the same Lord or Lords, and the Parties thereunto cannot otherwise agree upon the same division.

And be it further enacted and declared by the authority aforesaid, ff: 34. 88: cap: 5. that the savings, reserving, and provisions, concerning saving of the custody, Wardship, relief and primer seisin to the King, of such Mannors, Lands, Tenements and Hereditaments, or as much thereof as shall appertain unto him by vertue of any the clauses, sentences, or Articles abobe in this present Act contained during the Kings interest therein: And also of the custody and Wardship to other Lords, of as much of such Mannors, Lands, Tenements, and Hereditaments holden of them as shall amount and extend to the cleare yearely value of the third part thereof, over and abobe all charges, without any diminution or abridgement of the third part or of the full profits thereof, comprised and mentioned in the said Articles, Clauses or Sentences abovesaid, or any of them, be and shall be intended, expounded and taken, as hereafter ensueth: That is to say, That the King shall have and take for his full third part of all such Mannors, Lands, Tenements and Hereditaments, whereunto he is or shall be entituled by this present Act such Mannors, Lands, and Tenements, as shall by any meanes descend, or come by descent, as well of estate of Inheritance in Fee Tayle, as in Fee simple, or Fee tayle onely to the Heire of any such person that shall make any Will, gift, disposition or devise by his last Will in writing, or by any other Act or Acts lawfully executed in his life, immediately after the death of the same Deviser or Owner thereof. And that the Will, gift, and devise of every such Deviser or Owner, of and for the two parts of the said Mannors, Lands, Tenements and Hereditaments residue, shall by the authority aforesaid, be, and stand good and effectuell in the Law, albeit the same Will-gift, or devise, be had and made of all his Fee simple Lands, Tenements, and Hereditaments, or of the more part thereof. And in case the same Mannors, Lands, Tenements, and Hereditaments, which after the death of any such Owner and Devisor which shall make any such gift, disposition, or devise by his last Will in writing, or otherwise by any Act or Acts lawfully executed in his life, to his Wife, Children, or otherwise, as is aforesaid, which shall immediately after his death, descend, revert remaine, or come to his Heire or Heires, as well of estate of Inheritance in Fee tayle, as of Estate in Fee simple, or Fee tayle onely, be not or shall not amount or extend to the full cleare yearely value of the full third part, with the full profits thereof, of all the said Mannors, Lands, Tenements, or other Hereditaments of the said Devisor or Owner, according to the true intent and meaning of this present Act: That then the King shall and may, have and take into his hands and possession, to make up his full third part, with the full profits thereof according to his interest therein; as much of the other Mannors, Lands,

Tenements, or Hereditaments, willed, given, disposed or assigned by any such person, to his Wife, Children, or otherwise as is aforesaid, as with such of the same Mannors, Lands, Tenements, or Hereditaments descended, or by any means unto the Heir, as Heir of any such Debisor or Owner, shall make up the cleare yearly value of the said third part with the full profits thereof, of all the said Mannors, Lands, Tenements, or Hereditaments of every such Owner or Debisor, so to be had to the King, in Title of Wardship or primer seisin, as the case shall require: And the Division thereof to be had and made, & with the Restitution of the profits of the two parts of the said Mannors, Lands, Tenements and Hereditaments in such manner and forme as is above rehearsed. And like benefit and advantage to be given, had, and taken by the said Authority to every Lord and Lords, of whom any such Mannors, Lands, Tenements, or Hereditaments, been or shall be holden by Knights Service, in manner and form as is abovesaid, concerning onely his or their parts thereof, according to their said Interest therein.

And be it further enacted by the authority aforesaid, That if it happen the same third part, or any part thereof, left, willed, or assigned to the King, or other Lord, at any time during their Interests therein to be lawfully evicted or determined: That then the King and the other Lord shall have as much of the two parts residue as shall accomplish and make up a full third part in cleare yearly value after the Rate and portion of such Mannors, Lands, Tenements, and Hereditaments as shall then happen to remaine of the same third part, not evicted nor determined, and of the other two parts of such other Lands, Tenements and Hereditaments, as the King or other Lord should or ought to have had by vertue of this present Act: and the same to be divided in manner and form above rehearsed: Any Clause in this Act notwithstanding.

And be it further enacted and declared by the Authority aforesaid, that the saving and reserving for Fines for Alienation by any such last Will and Testament, of such Mannors, Lands Tenements, or Hereditaments, holden of the King by Knights service in chief, or of the nature of Knights service in chief, or by Socage in chief, or of the nature of Socage tenure in chief, or for Fines for Alienation of such Mannors, Lands, Tenements, or Hereditaments, whereof there shall be any alteration of free-hold, or of Inheritance made by any such last Will, comprised in divers and sundry Articles in this Act formerly mentioned, be, and shall be intended, expounded, taken, deemed and adjudged by the authority aforesaid: That all such person or persons, to whom the said Mannors, Lands, Tenements, or Hereditaments, or any of them, be or shall be, given, disposed, willed or devised by any such last Will, shall be exonerated, acquitted & discharged for ever against the King, his Heires and Successors, for all such Fines for Alienations, by any such last Will or Testament, without licence, by suing forth of the Kings Pardon for Alienation out of the Kings Court of Chancery, paying to the King, his Heires or Successors, for the fine of any such Alienation, the third part of the yearly value of the same Mannors, Lands, Tenements, or other hereditaments to him or them willed or devised: and this Act from time to time shall be a sufficient Warrant to the Lord Chancellor of Ireland, or keeper of the Great Seale for the time being, for the granting out of the said pardon or pardons under the Kings Great Seale, as heretofore hath been used for pardons for Alienations without any further Suit to be made

made to the King for the same

And it is further declared and enacted by authority aforesaid, that Wills, or Testaments made of any Mannors, Lands, Tenements or other Hereditaments, by any Woman Covert, or person within the age of one and twenty years Idiot, or by any person de non sane memorie shall not be taken to be good or effectually in the Law. And be it further enacted by the authority aforesaid, that if any person or persons having Estate of Inheritance, of and in Mannors, Lands, Tenements, or Hereditaments, holden of the King by knights service in Chief, or otherwise of the King by knights service, or of any other person or persons by knights service, hath given at any time since the first day of this present Parliament, or hereafter shall give, will, dispose, or assigne by Will or other Act executed in his life, his Mannors, Lands Tenements or Hereditaments, or any of them, by fraud or covin, to any other person or persons, for term of years, life or lives, with one remainder over in fee, or with divers remainders over for term of years, life, or in taylor, with a remainder over in fee Simple, to any person or persons, or to his or their right Heires, or at any time sithence the said first day of this present Parliament hath conveyed or made, or hereafter shall convey or make by fraud or covin contrary to the true intent of this Act, any Estates, Conditions, Reservations, Tenures or Conveyances, to the intent to defraud or deceive the King of his Prerogative, primer seizin, Liberty, relief, wardship, marriages, or rights: Or any other Lord of their wardship, relief, herriots, or profits which should or ought to accrue, grow, or come unto them or any of them, by, or after the death of his or their Tenant, by force, and according to this present Act and declaration: And the same Estates and other conveyances being found by Office to be so made or contrived by covin, fraud or deceit, as is abovesaid, contrary to the true intent and meaning of this present Act and Declaration: That then the King shall have as well the Wardship of the Body, and Custody of the Lands, Tenements, and Hereditaments as Liberty, Primer seizin, relief, and other profits which should or ought to appertaine to the King, according to the true intent and meaning of this present Act, as though no such Estates, or Conveyances by covin, had never been had or made until the said Office be lawfully undone by traverse or otherwise. And that the other Lord and Lords of whom any such Mannors, Lands, Tenements, or Hereditaments shall be holden by knights service, as is aforesaid, shall have their remedy in such cases for his or their wardships of Bodies and Lands, by Writ of right of Ward, and shall distraine and make Mourie or Cognizance by themselves or their Bayliffes for their relieves, herriots, and other profits which should have been to them due, by or after the death of their Tenant, as if no such Estate or Conveyance had been had or made. Saving and reserving alwayes by the Authority aforesaid, the right and Title of the Donees, Feoffees, Lessees, and Devisees thereof against the said Debisor and his Heires after the Interest and Title of the King, or other Lord therein ended and determined.

Provided alway, and be it enacted by the Authority aforesaid, That all and every person and persons, from whom the King or other Lord or Lords, shall take any Mannors, Lands Tenements, or Hereditaments for his or their full third part, or to make up his or their third part shall and may by Authority of this present Act in any of the cases aforesaid, upon his or their Will exhibited in the Kings Court of Chancery, against all and every such person and persons which shall be in-

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tituled by or under any such Will, gift, disposition, or devise to the other two parts, have such contribution or recompense for the same, as by the Chancellour of Ireland, or by the keeper of the Great Seale of Ireland for the time being shall be thought good and convenient.

CAP. III.

An Act against Covenous and Fraudulent Conveyances.

Eng. 11: 27
E: cap: 4
for tenth
years made
perpetuall
39 el: cap:
18. eng: 11:
13 el: cap: 5
this statute
differs much
from the 11:
in England
in words but
not in
matter for
represing
fraud.
In this is
enacted that
statutes
Merchants
and staples
not enrolled
in chancery
shall be
hoped against
purchasers.
3 7 cap 4
3 fraudu-
lent conve-
nances to de-
ceive purcha-
sers shall be
hopde.

Foasmuch as not onely the Kings most excellent Majesty, but also divers of his Highnesse good and loving Subjects, and bodies politique and corporate, after Conveyances obtained, or to be obtained, and purchases made, or to be made, of Lands, Tenements, Leases, Estates and Hereditaments, for money or other good considerations, may have, incurre, and receive great losse and prejudice, by reason of fraudulent and Covenous Conveyances, Estates, gifts, grants, charges and limitations of uses heretofore made or hereafter to be made, of, in, or out of Lands, Tenements, or Hereditaments, so purchased or to be purchased: which said gifts, grants, charges, Estates, uses & Conveyances were, or hereafter shall be meant or intended by the parties that so make the same, to be fraudulent and Covenous, of purpose and intent to deceive such as have purchased or shall purchase the same, or else by the secret intent of the Parties, the same be to their owne proper Use, and at their free disposition, coloured nevertheless by a fained countenance, and shew of words and Sentences, as though the same were made bona fide for good Causes, & upon just & lawfull considerations. For remedy of which inconveniences, and for the avoiding of such fraudulent, fained, and covenous Conveyances, gifts, grants, charges, uses and Estates, and for the maintenance of upright and just dealing in the purchasing of Lands, Tenements and Hereditaments: Be it ordained and enacted by the Authority of this present Parliament, that all and every Conveyance, Grant, Charge, Lease, Estate, incumbrance & limitation of use, or Uses, of, in or out of any Lands, Tenements, or other Hereditaments whatsoever, had or made any time heretofore sithence the beginning of the Raigne of King James his Majesty of famous Memory, or at any time hereafter to be had or made, for the intent and purpose to defraud and deceive such person or persons, Bodies politique or corporate, as have purchased or shall afterwards purchase in fee Simple, fee Tayle, for life, lives or years, the same Lands Tenements and Hereditaments, or any part or parcell thereof, so formerly conveyed, graunted leased, charged, incumbered or limited in Use, or to defraud and deceive such as have, or shall purchase any Rent profit or commodity, in, or out of the same, or any part thereof, shall be deemed and taken only as against that person or persons, Bodies politique and corporate, his and their Heires, Successors, Executors, administrators and Assignes, and against all and every other person and persons, lawfully having or clayming, by form or under them, or any of them, or to their, or any of their use or uses, which have purchased, or shall hereafter so purchase for money or other good consideration, the same Lands, Tenements, or Hereditaments, or any part or parcell thereof, or any Rent profit or commodity in, or out of the same, to be utterly void, frustrate, and of none effect: Any pretence, colour, fained consideration, or expressing of any Use or Uses, to the contrary notwithstanding.

The pena'ty
to the par-
ties to fru-
duent con-
veyances if
they abate
the same, &

And be it further enacted by the authority aforesaid, That all and every the parties to such fained, covenous and fraudulent gifts, grants Leases, charges or Conveyances before expressed, or being privy and knowing of the same, or any of them, which after the first day of May

next



next comming, shall wittingly and willingly put in ure, above, main-
taine, iustifie or defend the same, or any of them, as true, simple and
done, had or made bona fide, or upon good consideration, to the distur-
bance or hinderance of the said Purchaser or Purchasers, Lessees or
Grauntees, or of, or to the disturbance or hinderance of their Heirs,
Successors, Executors, Administrators, or Assignes, or such as have,
or shall lawfully claime any thing, by from or under them, or any of
them or to their or any of their use or uses, shall incur
the penalty or forfeiture of one years value of the said Lands
Tenements, & Hereditaments, so purchased or charged, the one Moyety
whereof to be to the Kings Majesty, his Heires and Successors, and
the other Moyety to the person or persons grieved by such fained and
fraudulent gift, grant, lease, conveyance, incumbrance or limitation
of use, to be received in any of the Kings Courts of Record, by Action
of debt, Bill, Plaint or Information, wherein no Elloyne, Protection
or Wager of Law shall be admitted for the Defendant or Defendants.
And also being thereof lawfully convicted, shall suffer Imprisonment
for one Halfe Year, without Baile or Mainprize.

Provided also, and be it enacted by the authority aforesaid, That if on good
this Act or any thing therein contained, shall not extend or be construed ^{considerati-}
ed to impeach, defeat, make voide, or frustrate any Conveyance, as- ^{ons and}
signement of lease, assurance, grant, charge, lease, estate, interest or ^{etc.}
limitation of use or uses, of, in, to, or out of any Lands Tenements ^{n t within}
or Hereditaments heretofore at any time had or made, or hereafter to ^{this Act.}
be had or made, upon or for good consideration, and bona fide, to any
person or persons, Bodies politique or corporate: Any thing before
mentioned to the contrary hereof notwithstanding.

And be it further enacted by the Authority aforesaid, That if any ^{Lands first}
Person or Persons have heretofore, sithence the beginning of the Reign ^{conveyed}
or our late most Gracious Sovereigne Lord King James, of every ble- ^{with con-}
ed Memory, made, or hereafter shall make any conveyance gift, grant ^{dition of re-}
demise, charge, limitation of use or uses, or assurance of, in, or out of ^{vocacion or}
any Lands, Tenements or Hereditaments, with any clause, provision, ^{alteration}
article, or condition of revocation, determination or alteration, at his ^{after so}
or their will or pleasure of such conveyance, assurance, grants, limi- ^{for many}
tations of uses or Estates, of in or out of the said Lands, Tenements, ^{or other}
or Hereditaments, or of, in, or out of any part or parcell of them con- ^{good con-}
sideration, ^{sideration,}
tained or mentioned in any writing, Deed, or Indenture of such as-
surance, conveyance, grant or gift: and after such conveyance, grant
gift, demise, charge, limitation of uses or assurance so had or made,
shall or doe bargain, sell, demise, grant, convey, or charge the same
Lands, Tenements, or Hereditaments, or any part or parcell thereof,
to any person or persons body politicke or corporate, for money, or other
good consideration, paid or given, the said first conveyance, assurance,
gift, grant, demise, charge or limitation, not by him or them revoked
made voide, or altered according to the power and Authority reserved
or expessed unto him or them, in and by the said secret conveyance, as-
surance, gift or grant: That then the said former conveyance, assurance
gift, demise, and grant, as touching the said Lands, Tenements, or
Hereditaments, so after bargained, sold, conveyed, demised, or charg-
ed, against the said barginees, vendees, lessees, grauntees, and every of
them, their Heires, Successors, Executors, Administrators and assigns,
and against all and every person and persons, which have, shall, or may
lawfully claime any thing, by from, or under them, or any of them, or
to their or any of their use or uses, shall be deemed taken and adjudg-

Mortgages
lawfully
made,

Statutes
Merchant
to be entered
with the
clerke of
Recogni-
zances,

Statutes not
entered
before
the purchas-
er,

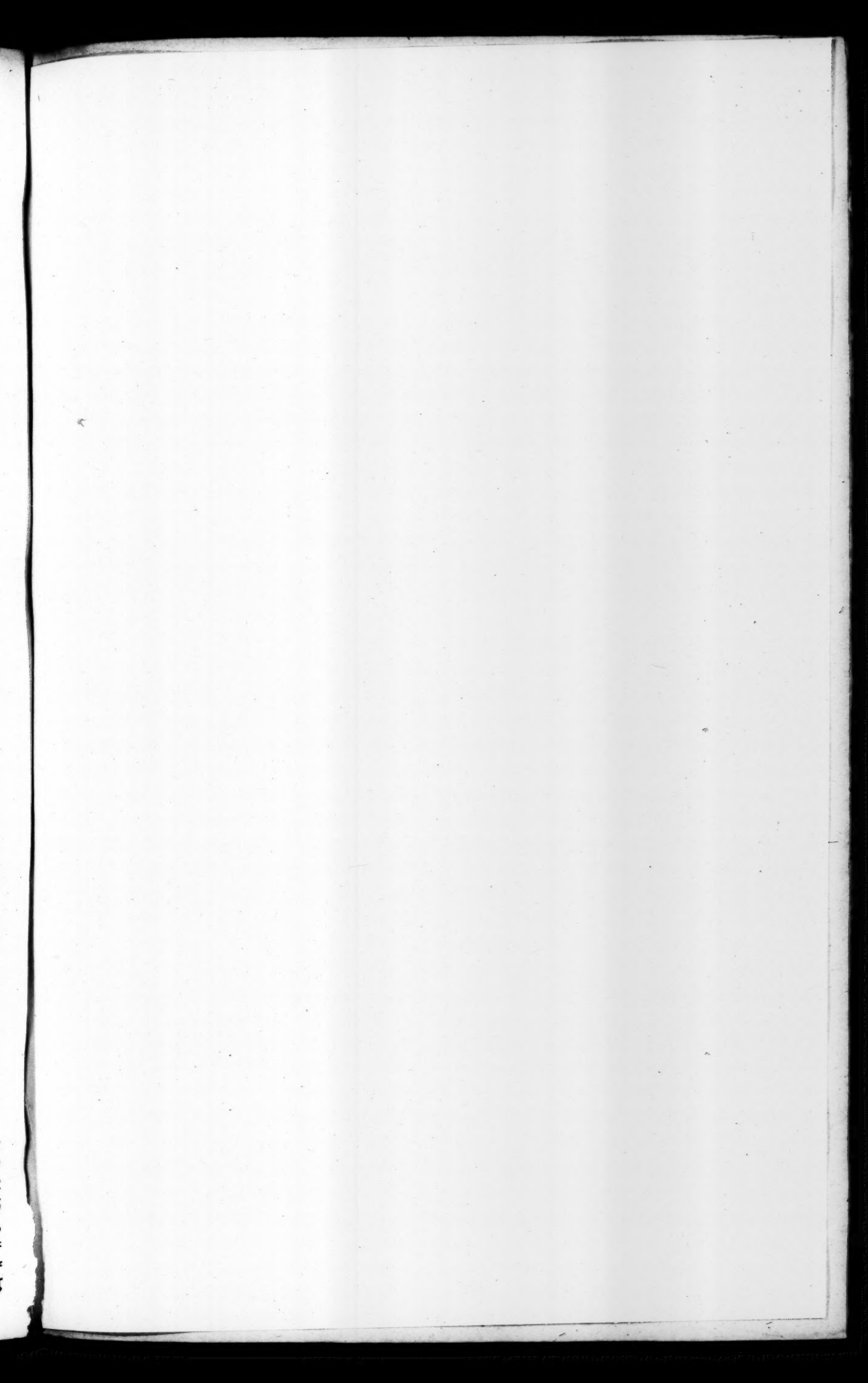
Forfeiture
of the
clerkes not
entering or
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the Statute

Clerke of the
Recogni-
zances for
search.

ed to be void, frustrate and of none effect, by vertue and force of this present Act. Provided nevertheless, that no lawfull Mortgage made or to be made bona fide, and without fraud or cobin, upon good consideration, shall be impeached or impaired by force of this Act, but shall stand in like force and effect as the same should have done, if this Act had never been had or made: Any thing in this Act contained to the contrary in any wise notwithstanding.

And be it further enacted by the Authority aforesaid, That all the whole tenor and contents of all statutes Merchants, and statutes of the Staple, hereafter to be acknowledged, shall within six months next after such knowledging, be entered in the Office of the Clerke of the Recognizances in his Majesties high Court of Chancery in this Realm of Ireland, by the shewing forth of the said Statute Merchant, or Statute Staple so knowledged unto the said Clerke, which said Clerke of Recognizance, shall enter or cause to be entered, the same Statutes into a Booke, for that purpose to be provided, and safely kept by him, taking eight pence Sterling and no more, for every such entry. And be it further enacted, that if the Party to whom any such Statute Merchant, or of the Staple shall be knowledged, his Executors or Administrators, doe or shall not within foure moneths next after the knowledging of any such Statute, bring and deliver, or cause to be brought and delivered unto the said Clerke, or to his Deputy or Deputies for the time being, all and every such Statute & statutes shall be so knowledged to him or to his Use, whereby and to the intent that the said Clerke, his Deputy or Deputies, may take and enter a true Coppy thereof, that then every such Statute Merchant, and of the Staple not so entered, shall be void, frustrate and of none effect, against all and every such person and persons, and bodies politique and corporate, them their Heires, Successors, Executors, Administrators and Assignes onely, as shall after the knowledging of the said Statutes, or any of purchase for money or other good consideration, the Lands, Tenements, or Hereditaments, which were lyable to the same Statute Merchant, or the Staple, or any part or parcell thereof, or any Rent, lease or profit, of, or out of the same. And if the said Clerke, or his Deputy or Deputies for the time being, shall not upon such shewing and delivering unto him or them, of any Statute Merchant or of the Staple, enter or cause to be entered, the same in his said Booke, within the said time of six months, and also indorse upon every such Statute so by him entered, the day and yeare of the said Entry, with his, or their owne name: that then every such Clerke, failing or defective in that behalf, shall forfeit and lose for every Statute Merchant and of the Staple, so brought unto him or them, and not entered and indorsed, as is aforesaid, the summe of twenty pounds, the one Moety whereof to be to the Kings Majestie, his Heires and Successors, and the other Moety to him or them that will sue for the same in any of the Kings courts of record, by Action of Debt, Bill, plaint, or Information, wherein no Essoyne, Protection, or Wager of Law shall be allowed.

And be it further enacted by the Authority aforesaid, That no Clerke of the said Recognizances, shall or may take, for or in respect of any search to be made, for or concerning any Statute Merchant, or of the Staple, so to be entered, as aforesaid above two pence for one years search, and so after the Rate of two pence for every yeare, and not above, upon paine to forfeit and loose to the Party or Parties grieved thereby, twenty times as much as he shall take, contrary to the true mean-
ing





ing of this Act, to be recovered in any of the Kings Majesties Courts of Record, by Action of Debt, Bill, plaint or information, wherein no Protection or Wager of Law shall be allowed. Provided alwayes, That this Act, nor any thing therein contained, shall extend or be construed to make good any purchase, grant, lease, charge, or profit, of, in or out of any Lands, Tenements, or Hereditaments, heretofore made void, defeated, or undone, by reason of any former conveyance grant or assurance, so as the party or parties, or their Heires or Assigns which have so defeated or made void the same, were in actuall possession the first day of this present Parliament, of, or in the said Lands, Tenements or Hereditaments, whereof, or out of the which, any such purchase, grant, lease, charge or profit was made.

And furthermore for the avoyding and abolishing of fained, covenous and fraudulent feoffments, Gifts, Grants, Alienations, conveyances, bonds, suites, judgements and executions, as well of Lands, and Tenements, as of goods and Chattles more commonly used and practised in these daies, then hath been seen or heard of heretofore, which feoffments, gifts Grants, Alienations, bonds, suits, judgements and executions have been and are devised and contrived of malice, fraud, covin, collusion or guile, to the end, purpose and intent to delay, hinder or defraud Creditors and others of their just and lawfull actions, suits, debts, accompts, dammages, penalties, forfeitures, heriots, mortuaries, and reliefs, not onely to the lette or hinderance of the due course or execution of Law and Justice, but also to the overthrow of all true and plaine dealing, bargaining and chevisance between man and man, without the which no Common wealth or civill Society can be maintained or continued.

Eng. St.
12. Ch. Cap.
5.

Be it therefore further declared, ordained and enacted by the Authority of this present Parliament that all & every feoffment, gift grant alienation, bargain and conveyance of Lands, Tenements, Hereditaments goods and chattels, or of any of them, or of any lease, rent, common, or other profit or charge out of the same Lands, Tenements, Hereditaments, goods, and chattles, or any of them by writing, or otherwise: and all and every Bond, Suit, Judgement and Execution at any time had or made, sithence the beginning of the Reigne of his said late Majesty King James of blessed Memory, or at any time hereafter to be had or made, to or for any intent or purpose before declared and expressed, shall be from henceforth deemed and taken onely as against that person or persons, his or their Heires, successors, executors, administrators and assignes, and every of them, whose Actions, suits, debts, accompts, dammages, penalties, forfeitures, heriots, mortuaries and reliefs, by such guilefull, Covenous and fraudulent devices and practises, as is aforesaid, are, shall, or mought be in any wise disturbed, hindred, delayed or defrauded to be clearely and utterly void, and of none effect: Any pretence, colour, fained Consideration, expressing of Use, or any other matter or thing to the contrary notwithstanding.

And be it further enacted by the authority aforesaid, That all and every the parties to such fained, Covenous or fraudulent feoffment, gift, grant alienation, bargain, conveyance, bonds, suits, judgements executions, and other things before expressed, or being privy and knowing of the same or any of them, which at any time after the first day of May next comming, shall wittingly and willingly put in ure, avoyd maintaine, defend or justifie the same, or any of them, as true simple and done, had or made bona fide, and upon good Consideration, or shall

¶ n n n

Alien

Alien or assign any the Lands, Tenements, goods, leases, or other things before mentioned to him or them conveyed, as is aforesaid, or any part thereof, shall incur the penalty and forfeiture of one years value of the said Lands, Tenements, Hereditaments, Leases, Rents, Commons or other profits, of or out of the same. And the whole value of the said goods and chattels, and also so much money, as is or shall be contained in any such covenant and fained bonds, the one moyety whereof to be to the Kings Majesty, His Heires and Successors, and the other moyety to the partie or parties grieved, by such fained and fraudulent feoffment, gift grant, alienation, bargain, conveyance, bonds, suits, judgments, executions, leases, Rents, commons, profits, charges, and other things aforesaid, to be recovered in any of the Kings Courts of Record by action of debt, bill, plaint or information, wherein no essoin, protection or wager of Law shall be admitted for the Defendant or Defendants, and also being thereof lawfully convicted, shall suffer imprisonment for one halfe yeare, without baile or mainprise.

Provided alwayes, and be it further enacted by the authority aforesaid, that whereas sundry common recoveries of lande, tenements and Hereditaments, have heretofore been had, and hereafter may be had against Tenant in tayle, or other Tenant of Freehold, the reversion or remainder, or the right of reversion or remainder then being in any other person or persons, that every such common recovery heretofore had and hereafter to be had, of any Lands, Tenements or Hereditaments, shall as touching such person and persons, which then had any remainder or reversion, or right of remainder or reversion, and against the heires of every of them, stand, remaine, and be of such like force and effect, and of none other as the same should have been, if this Act had never been had or made.

Provided alwayes, and be it further enacted by the authority aforesaid, that this Act or any thing therein contained, shall not extend to make voyde any estate or conveyance, by reason whereof any person or persons shall use any voucher in any Writ of Formedon, now depending, or hereafter to be depending, but that all and every such vouchers in any Writ of Formedon, shall stand and be in like force and effect, as if this Act had never been had nor made: Any thing before in this Act contained to the contrary notwithstanding.

Provided also and be it enacted by the authority aforesaid, That this Act, or any thing therein contained, shall not extend to any state or interest, in Lands, Tenements, Hereditaments, leases, Rents, commons, profits, goods or chattels, had, made conveyed or assured, or hereafter to be had made, conveyed or assured: which estate or interest, is or shall be upon good consideration and bona fide lawfully conveyed or assured to any person or persons, or bodies politique or corporate, not having at the time of such conveyance or assurance to them made, any manner of notice or knowledg of such covin, fraud, or collusion, as is aforesaid: Any thing before mentioned to the contrary hereof notwithstanding.

Provided alwayes that this Act or any thing therein contained shall not extend in any sort to restraine or impaire the jurisdiction, power or authority of the High Court of Castle Chamber.

CAP. IIII.

An Act concerning Grantees of Reversions, to take advantage of Breaches of conditions, &c.

Eng: 8: 32
8 cap: 34

W Here before this time, divers as well Temporall as Ecclesiasticall and religious persons have made sundry Leases, Demises and Grants to divers other persons, of sundry Mannors Lordships,



Lordships, Farmes, Meases, Lands, Tenements, Meadowes, Pastures
 or other Hereditaments, for tearme of life or libes, or for tearme of
 years by writing under their Seale or Seales, containing certaine con-
 ditions, covenants and agreements to be performed as well on the part
 and behalfe of the said Lessees and Grantees, their executors and assigns ^{where one}
 as on the behalfe of the said Leasors and Grantors, their heires and ^{is in of an-}
 successors. And forasmuch as by the Common Law of this Realm ^{other State}
 no stranger to any covenant, action or condition, shall take any advan-
 tage or benefit of the same by any means or wayes in the Law, but
 onely such as be parties or privy thereunto, by reason whereof as well
 all Grantees of Reversions, as also all Grantees and Patentees of the
 King our Sovereign Lord, and of his Predecessors, of sundry Man-
 nors, Lordships, Granges, Farmes, Meases, Lands, Tenements, Mea-
 dows, Pastures, or other Hereditaments late belonging to Monasteries
 and other religious and Ecclesiasticall Houses, dissolved, suppressed,
 renounced, relinquished, forfeited, given up, or by other means come to
 the hands and possession of the Kings Majesty, or of some of his Prede-
 cessors, since the last day of Aprill, in the eight and twentieth yeare of the
 Raigh of King Henry the Eighth of famous memory, be excluded to have
 any entry or action against the said Leasees and Grantees, their ere-
 cutors or assignes, which the Leasors before that time, might by the
 Law have had against the same Leasees, for the breach of any condition
 covenant or agreement comprised in the Indentures of their said leases
 Demises and Grants.

Be it therefore enacted by the King our Sovereigne Lord, the Lords
 Spirituall and Temporall, and the commons in this present Parlia-
 ment assembled, and by the authority of the same, that as well all and
 every person and persons, and bodies politique, their Heires, Succes-
 sors and assignes which have and shall have any gift or grant of our
 said Sovereign Lord, or of any his Predecessors, by Letters Patents,
 of any Lordships, Mannors, Lands, Tenements, Rents, Parsonages,
 Tithes, Portions, or any other Hereditaments, or of any reversion or
 reversions of the same, which did belong or appertaine to any of the
 said Monasteries, and other religious and Ecclesiasticall Houses dis-
 solved, suppressed, relinquished, forfeited, or by any other meanes come
 to the Kings hands since the said last day of Aprill, in the eight and
 twentieth yeare of the raigh of King Henry the eighth, or which at any
 time heretofore did belong or appertaine to any other person or persons,
 and after came to the hands of our said Sovereign Lord, or any of his
 Predecessors, as also all other persons being grantees or assignes, to,
 or by the Kings Majesty, or to, or by any other person or persons, than
 the Kings Highnesse and their Heires, Executors, Successors and as-
 signes, and every of them, shall and may have and enjoy like advan-
 tage against the Lessees, their Executors, Administrators and Assignes
 by entry for non-payment of the Rent, or for doing of waste or other for-
 feitures, and also shall and may have and enjoy all and every such like
 and the same advantage, benefit and remedies, by actions onely, for
 not performing other conditions, covenants or agreements contained
 and expressed in the Indentures of their said Leases, Demises or
 Grants against all and every the said Leasees, and Farmors, and
 Grantees, their Executors, Administrators and Assignes, as the said
 Leasors or Grantors themselves, or their Heires or Successors, ought
 should, or might have had & enjoyed at any time or times, in like man-
 ner and form, as if the reversion of such Lands, Tenements, or Here-
 ditaments had remained and continued in the said Grantors or Lessors

their Heires or Successors.

Wherefore be it enacted by the authority aforesaid, That all Farmors, Leasles and Granters of Lordships, Mannors, Lands, Tenements, Rents, Parsonages, Tiths, Portions, or any other Hereditaments, for term of years, life or lives, their Executors, administrators and Assignes, shall and may have like action, advantage and remedy against all and every person and persons, and bodies politique, their Heires, Successors and Assignes, which have or shall have any gift or grant of the Kings Majesty or of any other person or persons, of the reversion of the same Mannors, Lands Tenements, and other Hereditaments so letten, or any parcell thereof, for any condition, covenant or agreement contained or expessed in the indentures of their Lease and Leases as the same Leasles, or any of them, might and should have had against the said Leasors and Grantors, their Heires or Successors (all benefit and advantages of Recoveries in value, by reason of any warranty in deed or law, by whomsoever, or otherwise onely excepted.) Provided alwayes, that this Act nor any thing or things therein contained shall extend to hinder or charge any person or persons for the breach of any covenant or condition comprised in any such writing, as is aforesaid, but for such Covenants and conditions as shall be broken, or not performed after the first day of May next comming and not before: Any thing before in this Act contained to the contrary thereof notwithstanding.

CAP. V.

An Act for the Recovery of Arrerages of Rents by Executors of Tenant in Fee simple.

Eng. ii: p 8
cap: 37.

FOrasmuch as by the order of the Common Law, the Executors or administrators of Tenants in Fee simple, Tenants in Fee tayle and Tenants for term of lives, of Rents services, Rents Charges Rents Seckes and Fee Farms, have no remedy to recover such Arrerages of the said Rents or Fee Farmes, as were due unto their Testators in their lives, nor yet the Heires of such Testators, nor any persons having the reversion of his Estate after his decease, may distraine or have any lawfull Action to levy any such Arrerages of Rents, or of the Fee Farms due unto him in his Life, as is aforesaid, by reason whereof the Tenants of the demeasne of such Lands, Tenements, or Hereditaments, out of the which such Rents were due and payable, who of right ought to pay the Rents and Farms at such dayes and termes as they were due, doe many times keep, hold and retaine such Arrerages in their owne hands, so that the Executors and Administrators of the persons to whom such Rents or Fee Farms were due, cannot have or come by the said Arrerages of the same, towards the payment of the debts, and performance of the Will of the said Testator. For remedy whereof: Be it enacted by the authority of this present Parliament, that the Executors and Administrators of every such person or persons unto whom any such Rent or Fee Farme is or shall be due, and not paid at the time of his death, shall and may have an action of debt for all such Arrerages against the Tenant or Tenants that ought to have paid the said Rent or Fee Farme, so being behind in the life of their Testator, or against the Executors and Administrators of the said Tenants. And also furthermore it shall be lawfull to every such Executor and Administrator of any such person or persons, unto whom such Rent or Fee Farme shall be due, and not paid at the time of his death, as aforesaid, to distraine for the Arrerages of all such Rents and Fee Farme upon the Lands, Tenements, and other Hereditaments, which were charged with the payment of such Rents or Fee Farmes, and

and chargeable to the distresse of the said Testator so long as the said Lands, Tenements, or Hereditaments, continue, remaine, and be in the seison or possession of the said Tenant in demesne, who ought immediately to have paid the said Rent or Fee Farme so being behind to the said Testator in his life, or in the seison or possession of any other person or persons, claiming the said Lands, Tenements and hereditaments onely by and from the same Tenant, by purchase, gift, or descent, in like manner and form as their said Testatour might or ought to have done in his Life time: And the said Executors and Administrators shall for the same distresse, lawfully make a bowry upon their matter aforesaid.

And further be it enacted by the authority aforesaid, That if any Man which now hath, or hereafter shall have in the right of his wife any estate in Fee simple, Fee tayle, or for tearme of life, of or in any Rents or Fee Farmes, and the same Rents or Fee Farms now be, or hereafter shall be due behind, and unpaid in the said wifes life, then the said husband after the death of his said wife, his Executors and Administrators shall have an Action of Debt for the said Arrerages against his Tenant of the demesne that ought to have paid the same, his Executors or Administrators. And also the said husband, after the death of his said wife, may distraine for the said Arrerages, in like manner and forme as he might have done, if his said wife had been then living, and make a bowry upon his matter, as is aforesaid.

And likewise it is further enacted by the authority aforesaid, That if any person or persons which now hath, or hereafter shall have any Rents or Fee Farmes for tearme of life or lives of any other person or persons, and the said Rent or Fee Farme now be, or hereafter shall be due, and behind, and unpaid in the life of such person or persons, for whose life or lives, the estate of the said Rent or Fee Farme did depend or continue, and after the said person or persons doe die, then he unto whom the said Rent or Farme was due in forme aforesaid, his Executors and Administrators shall and may have an action of debt against the Tenant in demesne, that ought to have paid the same when it first was due his Executors & Administrators & also distraine for the same Arrerages upon such Lands and Tenements, out of the which the said Rents or Fee Farms were issuing and payable in such like manner and form as he ought or might have done, if such person or persons by whose death the aforesaid Estate in the said Rents and Fee-farmes was determined and expired, had been in full life, and not dead. And the bowry for the taking of the said distresse, to be made in manner and form aforesaid.

CAP. VI.

An Act for limitation of Actions, and for avoyding Suites in Law.

FOrasmuch as the time of limitation appointed for suing of writs Eng: ff: 32 of righte, other writs of possession & seizin of mens Ancestors or 18: cap 2 predcessors or of their own possession or seizin, by the Laws & Sta: 21: 3a: cap: tutes of this Realm, heretofore made limited & appointed, extend & be 16, of so farre & long time past, that it is above the remembrance of any living man, truly to try & know the perfect certainty of any such things as have or shall come in triall, or doe extend unto the time and times limited by the said Laws and Statutes, to the great danger of mens consciences, that have or shall be impanelled in any Jury, for the triall of the same. And also it is a great occasion of much trouble, vexation and suits to the Kings loving Subjects at the Common Law of this Realm. So that no man although he and his Ancestors, and those whose

whose estates he or they have, have been in peaceable possession for many years, of and in Lands, Tenements and other Hereditaments, is or can be in any surety, quietnesse or rest, of and in the same, without good remedy and reformation be had, made and provided for the same.

Be it therefore enacted by the King our Soberaigne Lord, the Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, and by the authority of the same, That no manner of person or persons, shall from henceforth sue, have, or maintaine any Writ of right, or make any prescription, title or claime, to or for any Mannors, Lands, Tenements, Rents, Annuities, Commons, Pensions, Portions, Corodies, or other Hereditaments, of the possession of his or their Ancestors or Predecessours, and declare and alledge any further seizin or possession of his or their Ancestors or Predecessors, but onely of the seizin or possession of his Ancestors or Predecessors, which hath been, or now is or shall be seized of the said Mannors, Lands Tenements Rents, Annuities, Commons, Pensions, portions, corodies, or other Hereditaments, within threescore years next before the Teste of the same Writt, or next before the said prescription, title or claime, so hereafter to be sued, commenced, brought, made or had.

And be it further enacted by the authority aforesaid, that no manner of person or persons shall hereafter sue, have, or maintaine any Assize of Mortdancer, Writ of cozenage, Aile, or of entry upon disseizin, done to any of his Ancestors or Predecessors, or any other Action Possessory upon the possession of any his Ancestors or Predecessors, for any Mannors, Lands, Tenements, or any ther Hereditaments, of any further seizin or possession of his or their Ancestors or Predecessors, but onely of the seizing or possession of his or their Ancestors or Predecessors, which was, or is, or hereafter shall be seized of the same Mannors, Lands, Tenements, or Hereditaments, within fifty years, next before the Teste of the Original of the same Writ hereafter to be brought.

And be it further enacted by the authority aforesaid, That no person or persons shall hereafter sue, have or maintaine any Action for any mannors, Lands, Tenements, or other Hereditaments, of or upon his or their owne seizin or possession therein abowe twenty years next, before the Teste of the Original of the same Writ hereafter to be brought.

And be it further enacted by the authority aforesaid, That no person or persons shall hereafter make any abowry or cognizance for any rent suit or service and alledge any seizin of any rent, suit or service in the same abowry or cognizance, in the possession of his or their Ancestors or Ancestors or his or their Predecessors or Predecessors, or in his or their owne possession or in the possession of any other, whose estate he or they shall pretend or claime to have abowe forty years, next be ore the making of the said abowry or cognizance.

And over that, be it enacted by the authority aforesaid, That all Writs of formedon in the descender, formedon in the remainder, formedon in the reverter, and scire facias upon fines or recoveries of any Mannors, Lands, Tenements, or other Hereditaments whatsoever, at any time hereafter to be sued or brought, shall be sued and taken within twenty years next after the Title and cause of action first descended, accrued or fallen, and at no time after the said twenty years.

And be it further enacted by the authority aforesaid, That if any person or persons at any time hereafter do sue any of the said Writs or actions for any Mannors, lands Tenements or other hereditaments
whatsoever



whatsoever or make any abowrie, cognizance, prescription, title or claime of or for any rent, suit, service, or other Hereditaments, and cannot prove that he or they, or his or their ancestors or predecessors were in actuall possession and seizin, of and in the said Mannors, lands Tenements, Rents, suits, services, annuities, commons, pensions, portions, Corodies, or other Hereditaments at any time or times within the years respectively and severally before limited and appointed in this present Act, and in manner and form, as is aforesaid, if the same be traversed or denied by the party plaintiffe, demandant or abowant, or by the party Tenant or Defendant, That then and after such triall therein had, all and every such person or persons, and their heires shall from thenceforth be utterly barred for ever of all and every the said writs, actions, abowries cognizance, prescription, title and claime hereafter to be sued, had or made, of and for the same Mannors, Lands, Tenements, Hereditaments, or other the premises, or any part of the same, for the which the same actions, abowrie, cognizance, prescription, title or claime hereafter shall be at any time had, sued or made.

Provided alwayes and be it enacted by the authority aforesaid, That all and every person and persons which now have any of the said actions writs abowries, seire facias, cognizance, prescription, title or claime depending, or that hereafter shall sue, commence, make or bring any of the said writs or actions, or seire facias or make any of the said abowries, cognizances, prescriptions, titles or claymes at any time before the feast of the Ascension of our Lord God, which shall be in the year of our Lord God, one thousand six hundred and forty, shall alledge the seizins of his or their Ancestors, or predecessors, or his owne possession and seizin, and also have all other like advantage, to all intents and purposes in the Writs, actions, seire facias, abowries, cognizances, prescriptions, titles, and claime, as he or they might have had at any time before the making of this Statute: this Act or any thing therein contained to the contrary notwithstanding.

Provided also and be it further enacted by the authority aforesaid, that if any person or persons, being now within the age of one & twenty years, or Covert Baron, non compos mentis or in prison, or out of this Realm of Ireland, now having cause to have, sue, commence, make or bring any of the said Writs, or actions, or to make any abowries, cognizance, prescriptions, titles, or claimes, that it shall be lawfull to such person and persons, being within age, Covert Baron, non compos mentis, in prison, or out of this Realm, to sue, commence, or bring any of the said Writs or actions, or make any of the said abowries, cognizances, prescriptions, titles or claymes at any time within six years after such person or persons, now being within age, shall accomplish the age of one and twenty years, or within six years next after such person or persons, now being Covert Baron, shall be sole, or within six years next after such person or persons, now being non compos mentis shall be come of sane memorie, or within six years next after such person or persons now being in prison, shall be at his liberty, or within six years next after such person or persons, now being out of this Realm, shall come and be within this Realm: And that every such person and persons in their said actions, Writs, abowries cognizances, prescriptions, title or claymes to be made, sued, or commenced within the said six years shall alledge within the said six years the seizin of his or their Ancestors or predecessors, or of his owne possession, or the possession of those whose estate he shall then claime: And also within the same six years shall have

have all and every like advantages to all intents and purposes in the same, as he or they might have had before the making of this Act, and as though this Act had never been had nor made: this Act or any thing therein contained, to the contrary notwithstanding.

Provided also, that if it happen that any person or persons now being within age, or Covert Baron, non compos mentis, Idiot, in prison or out of this Realm, having cause to sue, commence, make or bring any the said Writs, Actions, abowries, cognizances, prescriptions, title or clayme, to decease within age, or being Covert, non compos mentis, or Idiot, or during the time he or they shall be in prison, or out of this Realm, or to decease within six years next after such person or persons shall accomplish his or their full age, or shall be at large within this Realm, or shall become sole, or of sound memory, and no determination or judgement had of such titles, actions, or rights so to them accrued: That then the next heire or heires of such person or persons, being in prison, or out of this Realm, or within age, or being Covert Baron, non compos mentis, or Idiot, so dying, shall have and enjoy all and every such liberty and advantage, to sue, demand, abow, declare or make the said titles, claymes and prescriptions within six years next after the death of any such person or persons now imprisoned, or being out of this Realm, or within age, or Covert de Baron, non compos mentis, or Idiot, in such or like manner and form, to all intents and purposes as the same Infant after his full age, or the said woman Covert, after the death of her husband, or the same person being out of this Realm, after his repaire or coming into the same, or the said person imprisoned after his enlargement, and coming out of prison, or the said non compos mentis after his coming to sound memorie, should or might have had within six years then next ensuing, by force and vertue of the provision last before rehearsed: Any thing in this Act contayned to the contrary thereof in any wise notwithstanding.

Provided also, that if any person or persons, before the said feast of the Ascension of our Lord God, which shall be in the yeare of our Lord God, one thousand six hundred and forty, commence and sue any of the said actions, or writs, or make any abowry prescription, title, or clayme and the same action, writ, abowry, cognizance, prescription, title, or claime, happen by the death of any the parties to the same, to be abated before judgement or determination thereof had that then the said, person or persons being demandants or abowants, or making any such cognizance, prescription, title or claime, being then alive, and if not, then the next heire or heires of such person or persons so deceased, may commence and pursue his or their action and suit, or make his or their abowry, cognizance, prescription, title or claime for or upon the same matter, within one yeare next after such action or suit abated, and shall have and enjoy all and every such liberty and advantage, to sue, demand, abow, declare, or make the said titles, claymes and prescriptions, within the said one year, as the demandant or demandants, in such writs or suits abated, or as such as did abow or make cognizance, title or claime, or prescription, should or might have done, had, used, made or enjoyed in the said former action or suit: Any thing in this Act to the contrary notwithstanding.

Provided furthermore, that if any false verdict happen hereafter to be given or made in any of the said actions, suits, abowries, prescriptions, titles or claymes, that then the party grieved by reason of the same, shall and may have his attainr upon every such verdict so given



or made, and the plaintiff in the same attaint upon judgement for him given, shall have his recovery, execution and other advantage, in like manner and forme as heretofore hath been used and accustomed: Any thing before in this Act contained to the contrary thereof notwithstanding.

And for the further quieting of mens estates, and aboyding of suits: Be it further enacted by the Kings most excellent Majestie, the Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, and by the authority of the same, That no person or persons that now hath any right or title of Entry into any Mannors, Lands, Tenements, or Hereditaments, now held from him or them, shall thereunto enter, but within twenty years next after the end of this present Parliament, or within twenty years next after any other title of entry accrued. And that no person or persons shall at any time hereafter make any Entry into any lands, tenements or hereditaments, but within twenty years next after his or their right or title, which shall hereafter first descend or accrue to the same: and in default thereof, such persons so not entring, and their heires shall be utterly excluded and disabled from such Entry after to be made: Any former Law or Statute to the contrary notwithstanding.

Provided neverthelesse, that if any person or persons, that hath or shall have such right or title of Entry, be or shall be at the time of the said right or title first descended, accrued, come or fallen within the age of one and twenty years femme Covert, non compos mentis, imprisoned, or beyond the Seas: That then such person and persons, and his and their heire and heires, shall or may notwithstanding the said twenty years be expired, make his entry as he might have done before this Act: So as such person and persons, or his or their heire and heires, shall within ten years next after his or their full age, discoberture, comming of sound minde, enlargement out of prison, or comming into this Realm, or death, take benefit of the same, and at no time after the said ten years.

And be it further enacted: that all actions of trespassse, Quare clausum fregit, all actions of trespassse, detinue, action sur Trover and Conversion, and Replevin, for taking away of goods and cattell all actions of accompt, and upon the Case, (other then such accompts as concerne the trade of Merchandize between Merchant and Merchant, their Factors or Serbants) all actions of debt grounded upon any lending or contract without specialty, all actions of debt for arrearages of rent, and all actions of assault, menace, battery, wounding and imprisonment or any of them which shall be sued or brought at any time after the end of this present Parliament, shall be commenced and sued within the time and limitation hereafter expressed, & not after: (That is to say,) The said actions upon the Case (other then for slander) and the said actions for accompt, and the said actions for trespassse debt, detinue, and replevin for goods and cattell, and the said actions for trespassse, Quare clausum fregit, within three years next after the end of this present Parliament, or within six years next after the cause of such actions of suit, & not after. And the said actions of trespassse, of assault, battery, wounding, imprisonment, or any of them, within one yeare next after the end of this present Parliament, or within foure years next after the cause of such actions or suits, & not after, & the said actions upon the Case for words, within one yeare after the end of this present Parliament, or within two years after the words spoken, and not after.

And neverthelesse be it enacted, that if any of the said last mentioned

¶ 000 *

actions

Action on the case, other then slander, accompt, trespassse, detinue, replevin six years.
trespasses of Assault 4 years.
slanders 2 years

actions or suits. Judgement be given for the plaintiff and the same be reversed by Error, or a verdict passe for the plaintiff, and upon matter alledged in arrest of Judgement, the Judgement be given against the plaintiffe that he take nothing by his plaint, writ, or bill, or if any the said actions shall be brought by originall, and the defendant therein be outlawed, and shall after reverse the outlawry, that in all such cases the party plaintiffe, his heires, executors or administrators, as the case shall require, may commence a new action or suite from time to time, within a yere next after such Judgement reversed, or such Judgement given against the plaintiffe or outlawry reversed, and not after.

And be it further enacted, that in all actions of trespassse, Quare clausum fregit, hereafter to be brought, wherein the defendant or defendants shall disclaime in his or their plea, to make any title or claime to the Lands in which the trespassse is by the declaration supposed to be done, and the trespassse be by negligence or involuntary, the defendant or defendants shall be admitted to plead a disclaymer, & that the trespassse was by negligence, or involuntary, & a tender or offer of sufficient amends for such trespassse before the action brought: whereupon, or upon some of them, the plaintiffe or plaintiffes shall be enforced to joyne issue, and if the said issue be found for the defendant or defendants, or the plaintiffe or plaintiffes shall be non-suited, the plaintiffe or plaintiffes shall be clearly barred from the said Action or Actions, and all other suits concerning the same.

Provided nevertheless, and be it further enacted, that if any person or persons that is or shall be intituled to any such action of trespassse, detinue, action for Trover, Replevin, actions of Accompts, actions of debts, actions of trespassse, for assault, menace, battery, wounding or imprisonment, actions upon the Case for words, be or shall be at the time of any such cause of action given or accrued, fallen or come within the age of twenty one years, femme covert, non compos mentis, imprisoned, or beyond the Seas, that then such person or persons shall be at liberty to bring the same actions, so as they take the same within such times as are before limited after their coming to, or being of full age, discov'ert, of sane memorie, at large and returned from beyond the Seas, as other persons having no such impediment should have done.

Provided alwayes, and be it further enacted and declared by the authority of this present Parliament, That this Act or any article, clause sentence or matter therein contained, shall not extend to any writ of right, of advowson Quare impedit, or assize of Barraine presentment nor to any writ of right of Ward, writ of Ravishment of Ward for the wardship of the body, or for the wardship of any Castles, Honors, Mannors Lands, Tenements, or Hereditaments holden by Knights service, nor to the seizure of the wardship of the body of any Ward or Wards, or to the seizure or wardship of any Castles, Honors, Mannors, Lands, Tenements, or Hereditaments, holden by Knights service.

Provided also, and be it further enacted and declared by the authority of this present Parliament, That this Act, or any Clause, article, sentence or matter therein containned, shall not extend unto any Castle Honors, Mannors, Lands Tenements, Tithes, Pensions, Portions, Obventions, Oblations, or any other annual, casual, or Hereditary profits, or other rights or possessions whatsoever, of any Archbishopricke, Bishopricke, Deanry, Archdeaconry, Prebend, Parsonage, Vicarage,



or any other Ecclesiasticall or Spirituall living, or as belonging or appertaining thereunto, claimed by any Ecclesiasticall or Spirituall person or persons whatsoever: But that they and every of them, their and every of their Successors, shall and may have, maintain, and pursue, all and singular such Writs, Actions and suits for any of the rights or possessions of any of their Churches, and make such entries thereinto in such like manner and forme to all intents, constructions and purposes as they or any of them should or might have had, done, made, or pursued, before the making of this Act, and as though the same Act had never been made.

CAP. VII.

An Act that Wrongfull disseizin &c. is no descent in Law.

VHere divers persons of their insatiable minds have heretofore by strength and without title, entred into Mannors, Lands, Tenements, and other hereditaments, and wrongfully disseized the rightfull owners, and possessors thereof: and over, being seized by disseizin, have thereof died seized, by reason of which dying seized, the disseizee, or such other persons as before such descent might have lawfully entred into the said Mannors, Lands, and Tenements, were and be thereby clearly excluded of their entry into the said Mannors, Lands, and Tenements, and put to their Action for their remedy and recovery therein, to their great cost and charges. For reformation whereof, be it enacted by the authority of this present Parliament, that the dying seized hereafter of any such disseizor, of or in any Mannors, Lands, Tenements, or other Hereditaments, having no right or title therein, shall not be taken or deemed from henceforth any such descent in the Law for to tolle or take away the entry of any such person or persons, or their heires, which at the time of the same descent had good and lawfull title of entry into the said Mannors, Lands, Tenements, or Hereditaments, except that such disseizor hath had the peaceable possession of such Mannors, Lands, Tenements, or Hereditaments, whereof he shall so dye seized by the space of five years next after the disseizin by him committed without entry or continuall clayme, by or of such person or persons as have lawfull title thereunto.

CAP. VIII.

An Act for the Exposition of the Statute of Fines.

FOrasmuch as by a Statute made in England in the fourth year of the raigne of the late King of famous memory, King Henry the seventh, it was among many good and sundry Statutes and Ordinances then made for the Common-wealth, enacted, ordained and established, in what forme and manner Fines should be levied, with Proclamations in the Kings Court before his Justices of his Common Place: And that such Fines with Proclamations so had and made, to the intent to avoid all strifes and debates, should be a shalend and conclude as well Privies as strangers to the same, (certaine persons excepted and saved, as in the said Statute more plainly appeareth:) since which time by the diversity of interpretation and expounding of the same Statute, it hath ben and yet is by some manner of persons doubted and called in question, whether Fines with Proclamations levied, or to be levied, before the said Justices by any person or persons, having or claiming to have in any Mannors, Lands, tenements, or Hereditaments comprised in the same fine, in possession, reversion, remainder, or in use, any manner of estate taylor, should immediately after the said fine levied, ingrossed, and Proclamation made, bind the right heire and heires of such Tenant in taylor, and every other person

Eng. 8: 32
12: cap 32

En 8: 32
12: cap 36

12: 4: 7
12: cap 24: 8

12: 10

modus levandifines.

and persons seized or claiming to their use or uses, by occasion whereof, divers debates, controversies, suites and troubles have been begun, moved and had within this Realm, and more be like to ensue, if remedy for the same be not provided.

For the establishment and reformation whereof, and for the sure and sincere interpretation of the said Statute, in avoiding all dangers, contentions, controversies, ambiguities, and doubts, that hereafter may arise, grow, or happen:

Our Sovereign Lord the King, with the assent of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the authority of the same, hath enacted and ordained, that all and singular fines, as well heretofore levied, as hereafter to be levied, before the said Justices, with proclamations according to the said Statute, by any person or persons of full age of one and Twenty years, of any Mannors, Lands, Tenements, or hereditaments, before the time of the same fine levied in any wise intayled to the person or persons so levying the same fine, or to any the Ancestor or Ancestors of the said person or persons in possession, reversion, remainder, or in use, shall be immediately after the same fine levied, ingrossed, and Proclamation made, adjudged, accepted, deemed and taken to all intents and purposes, a sufficient barre and discharge for ever against the said person and persons, and their heires claiming the same Lands, Tenements and Hereditaments, or any parcell thereof onely by force of any such intayle, and against all other persons clayming the same or any parcell thereof onely to their use, or to the use of any manner of heires of the bodies of them: Any ambiguity, doubt, or contrariety of opinion risen or growne upon the said Statute to the contrary notwithstanding.

Eng: R: 11
D: 7: C: 20

Provided alwaies, that this Act, nor any thing therein contained, shall extend to barre or exclude the lawfull Entry, title or interest of any heire or heires, person or persons heretofore given, or hereafter to be given, growne or accrued to them or any of them, in or to any Mannors, Land, Tenements, or hereditaments, by reason of any fine or fines, heretofore levied, or hereafter to be levied by any Woman after the death of her husband, contrary to the forme, intent and effect of the Statute made in England, in the eleventh yeare of the said late King Henry the seventh, of any Mannors, Lands, Tenements, and hereditaments, of the inheritance or purchase of the said husband, or of any of his Ancestors, given or assigned to any such Woman in dower for tearme of life, or in taylor, in use, or in possession, but that the same Act made in the said eleventh year of the said late King Henry the seventh, shall stand, remaine, and be in full strength and vertue in this Kingdom of Ireland, in every article, sentence and clause therein contained.

Provided also, that this Act, nor any thing therein contained, doe extend to any fine or fines at any time heretofore levied, or hereafter to be levied of any Lordships, Mannors, Lands, Tenements, or other Hereditaments, whatsoever they be, the possessioners or owners whereof, by reason of any expresse wordes contained in any speciall Act or Acts of Parliament, made or ordained since the said fourth year of the reign of the said late King Henry the seventh, stand, be bounden or restrained from making any alienations, discontinuances, or other alterations of any of the same Lordships, Mannors, Lands, Tenements, or Hereditaments, containned in the said fine or fines, but that all and every such fines or fines at any time heretofore levied, or hereafter to be levied by any such person or persons, or their heires of any such Lordships, Mannors,

noys, Lands, Tenements, or other hereditaments, shall be of such like force and strength in the Law, and of none other effect than the same Fine so levied should have been, if this present Act had never been had nor made: Any thing therein contained to the contrary thereof in any wise notwithstanding.

Provided also, that this Act, nor any thing therein contained, shall extend to any Fine or Fines heretofore levied of any Mannors, Lands, tenements, or other hereditaments, now in suite, demaund, or variance in any of the Kings Courts, or whereof any Charters, Evidences, or Minuments concerning the same be now in demand in the Kings high Court of Chancery, nor to any Fine or Fines heretofore levied of any Mannors, Lands, tenements, or hereditaments, which before the first day of this present Parliament, have been recovered, gotten, or obtained by reason of any Judgement, Entrie, Decree, Arbitrament, or other lawfull meanes, contrary to the purport, intent, or effect of any such Fine or Fines thereof heretofore levied, nor to any Fine or Fines heretofore levied, or hereafter to be levied by any person or persons, of any Mannors, lands, tenements or hereditaments, before the time of the levying of the same Fine given, granted or assigned to the said person or persons, levying the same Fine, or to any of his or their Ancestors in the taylor, by vertue of any Letters Patents of our said Soberaign Lord, or any of his Progenitors, or by vertue of any Act or Acts of Parliament, the reversion whereof at the time of this same Fine or Fines so levied, being in our said Soberaign Lord, his Heires or Successors, but that every such Fine and Fines shall be of like force, strength and effect, as they were or should have been, if this Act had never been had nor made.

Cap. IX.

An Act touching Proclamations upon Fines.

VV Hereas upon Fines levied with Proclamations. Doubts Eng. ft. 1. have of late risen, by occasion of adjournment of tearmes, m. c. 7. in which Proclamations should have been made, according to the form limited for Proclamations upon Fines, by the Statute made in the fourth year of King Henry the seventh, and were not by reason of such adjournments had, nor made, according to the purvey of the same Statute.

Be it therefore enacted, that all Fines aswell heretofore levied, as hereafter to be levied before the Justices of the Common Pleas, of any Mannors, Lands, Tenements, or other hereditaments, whereupon the Proclamations have not, or shall not, by reason of adjournment of any Tearme by writt be duely made, shall be of as good force, effect and strength, to all intents, constructions and purposes, as if any Tearme heretofore so adjourned, or that any time hereafter shall be so adjourned had been holden and kept from the beginning to the end thereof not adjourned, and Proclamations therein made, according to the forme and effect of the said Statute.

Provided alwayes, that this Act shall not in any wise extend to any Fine heretofore levied, of any Mannors, Lands, Tenements, or hereditaments, now in suite, demaund or variance in any of the Kings Courts, or whereof any Charters, Evidences, Minuments concerning the same, be now in demand in the Kings high Court of Chancery, nor to any Fine or Fines heretofore levied, of any Mannors, Lands, Tenements, or hereditaments, which before the first day of this present Parliament, have been recovered, gotten, or obtained by reason of any judgement, entrie, decree, arbitrament, or other lawfull meanes, contrary to the purport, intent or effect of any such Fine or Fines thereof heretofore

foze levied.

CAP. X.

An Act for the reformation of errors in Fines and Recoveries.

Eng: R: 23
El: 3.

For the appeasing of suites, the avoiding of false practises, deceipts, devises, and misdemeanors, and for the helping of negligences and misprisions of Clarke and Officers, dangerous to assurances of mens lands and hereditaments.

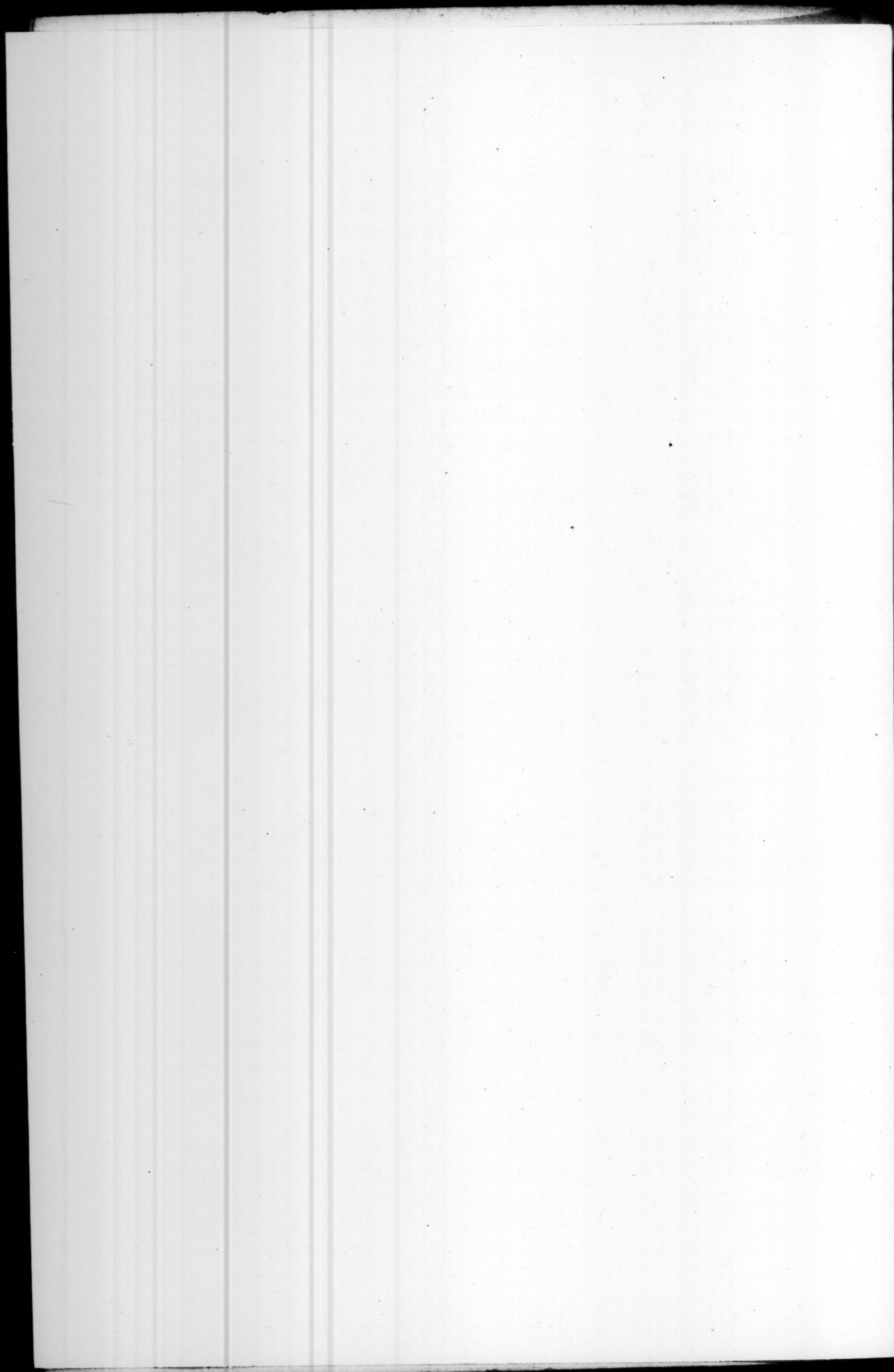
Be it enacted by our Sovereign Lord the Kings Majesty, the Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, and by the authority of the same, That every Writ of Covenant and other writ, whereupon any fine heretofore hath been levied, or hereafter shall be levied, the returne thereof, The Writ of Dedimus Potestatem, made for the knowledging of any of the same fines, the returne thereof, The Concord, note, and scoote of every such fine, The Proclamations made thereupon, and the Kings silver, and also every originall Writ of Entry in the poss, or other Writ, whereupon any common recovery hath been suffered, or hereafter shall be suffered or passed, The Writs of summons ad Warrantizandum, the returnes of the said originals, and writs of summons ad Warrantizandum, And every warrant of Attourney, had or to be had, as well of every Demandant and Tenant, as voucher extant and remaining, or that shall be extant and in being, may upon the request or election of any person, be inrolled in Rolls of Parchment by the Clarke or proper Officer, in or by the same Court appointed or to be appointed for that purpose, and for such reasonable fees as that Court from time to time shall appoint. And that the Inrollments of the same, or of any part thereof, shall be of as good force and validity in Law, to all intents, respects and purposes, for so much of any of them so inrolled, as the same being extant and remaining, were or ought by Law to be.

And be it further enacted by the authority aforesaid, That no fine, Proclamations upon fines, or Common recovery heretofore had, levied, suffered or passed, or hereafter to be had, levied, suffered or passed, shall be reversed, or reversable by any Writ of error, for false or incongruous Latine, rasure, interlpyning, inserting of any warrant of Attourney, or of any Proclamation, mis-returning, or not returning of the Sheriffe, or other want of forme in words, and not in matter of substance.

And be it further enacted by the authority aforesaid. That the Chirographer of fines of the Common Pleas for the time being, for ever, shall write, and make, or cause to be written and made for every County where his Majesties writ runneth, one Table wherein shall be contained such Contents of every fine that shall passe in any one Terme, as hereafter is mentioned: That is to say, The name of the County wherein the Tenements mentioned in any fe, lye, the name of every plaintiffe and deforçant, and of every Mannor named in the fine, if any such be, and of the towne and places where the Tenements in such fine comprised, doe lye, and the first day of the next Terme, after the ingrossing of every such fine, shall fixe every of the said Tables upon some open place of the Common Pleas, and so every day of the said Terme, during the time of sitting of the said Court, and that the said Chirographer shall deliver to every Sheriffe of every County, his Under Sheriffe, or Deputy, fair written in Parchment, a perfect content of the Table so to be made for that County, in the Terme that shall be next before the Assises be holden in the said County, or else mesne between that Terme and the said Assises, and that every such Sheriffe to whom such

Parch-





Baronment with the content aforesaid, shall be delivered the first day of the next Assises, after the delivery thereof unto him, and every day during the said Assises, shall be and set up the said writing undefaced, in some open place in the Court, where the Justices of assises of that County shall sit, & shall see the same to continue there, during such time as the said Justices shall sit there in the Court, upon paine that every chirographer & Sheriffe offending against any thing in this Act contained, shall forfeit to our Sovereign Lord the Kings Majesty, the summe of five pounds sterling, the one moiety thereof shall be to the Kings Majesty, his Heires & Successors, & the other moiety to him or them that will sue for the same in any Court of Record, wherein no esloyn, protection, or wager of Law shall be allowed. And that the Chirographer for the time being, shall have & take for every such content, of every Fine so set downe in the Table aforesaid, foure pence sterling, and no more.

CAP. XI.

An Act for Expedition of Iustice in cases of Demurrers &c.

FOrasmuch as excessive charges and expences, and great delay and hinderance of Justice hath growne in Actions and Suites between the Subjects of this Realm, by reason that upon some small mistakings, or want of forme in pleading, Judgements are often reversed by Writs of Errors, and often times upon Demurrers in Law, given otherwise then the matters in Law, and very right of the cause doth require, whereby the parties are constrained either utterly to lose their right, or else after long time, and great trouble and expences, to renew againe their Suites: For remedy thereof, Be it enacted by the Kings most excellent Majestie, the Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, and by the authority of the same, That from henceforth, after demurrer joyned and entred, in any Action or Suite in any Court of Record within this Realm, the Judges shall proceed and give Judgement, according as the very right of the case and matter in Law shall appeare unto them, without regarding any imperfection, defect, or want of forme, in any writ returne, plaint, declaration, or other pleading, proccesse or course of proceeding whatsoever, except those onely which the party demurring shall specially and particularly set downe and expresse together with his demurrer. And that no Judgement to be given, shall be reversed by any writ of Error, for any such imperfection, defect, or want of forme, as is aforesaid, except such onely, as is before excepted.

Eng. St. 27
El. Cap. 5.

a General
demurrer
without any
cause com:
552.

And be it further enacted, That after Demurrers joyned and entred the Court where the same shall be, shall and may by vertue of this Act, from time to time amend all and every such imperfections, defects, and wants of forme, as is before mentioned, other then those onely, which the party demurring, shall specially, and particularly expresse and set downe, together with his Demurrer, as is aforesaid.

Provided alwayes, and be it further enacted by the authority aforesaid, that this Act, or any thing therein contained, shall not extend to any writ, Declaration, or Suite of appeale of felony, or Murder, nor to any Indictment or presentment of any felony, Murder, Treason, or other matter, nor to any proccesse upon any of them, nor to any writ, Bill, Action, or information upon any popular or Penall Statute: any thing aforesaid to the contrary notwithstanding.

CAP. XII.

An Act for reformation of Ieofailes, &c.

WHereas in the thre and thirtieth year of the Reign of King Henry the eight of famous memory, a good and profitable

St. 33 H 8:
cap. 3 Eng:
St. 18 E:

Law, cap. 13, 14.

11 E² cap:
5 Eng: R:
21 Ja: C: 13

Law, intituled, an Act concerning mis-pleading, and Jeofailes was made and enacted in this Kingdom of Ireland: by which Law, many delayes of Judgments were prevented, and yet notwithstanding many things have, and daily doe fall out not yet provided for, nor remedied by the Law before mentioned.

in St 17
16. Car. 2.
cap: 12 an
Act to pre-
vent arrests
of iudge-
ment

Be it therefore enacted by the Kings most excellent Majesty, the Lords Spirituall and Tempozall, and the Commons in this present Parliament assembled, and by authority of the same, that if any verdict of twelbe men, or more, shall be hereafter given in any action, suit, bill plaint, or demaund, in any Court of Record, the Judgment thereupon shall not be staied or reversed, by reason of any default in forme, or lack of forme, touching false Latine, or variance from the Register, or other defaults in forme, in any Writ, originall, or judicall, Count, declaration, plaint, bill suite, or demaund, or for want of any Writ originall, or judicall, or by reason of any imperfect or insufficient return of any Sheriffe or other Officer, or for want of any warrant of Attourney, or by reason of any manner of default in Processe, upon or after any aide, Prayer, or Voucher, nor any such Record or Judgement after Verdict to be given hereafter, shall be reversed for any the defects or causes aforesaid.

And be it further enacted by the authority aforesaid, That if any verdict of twelbe men, or more, shall hereafter be given for the Plaintiffe, or Demandant, or for the Defendant, or Tenant, Baylie in Assize, Voucher, Prayee in aide, or Tenant by Receipt, in any action suit, bill, plaint, or demaund, in any Court of Record, the Judgement thereupon shall not be stayed, nor reversed by reason of any variance in forme onely, between the originall Writ, or Bill, and the Declaration, Plaint or Demaund, or for lacke of an averment of any life, or lives, of any person or persons, so as upon examination the said person be proved to be in life, or by reason that the venire facias, habeas corpora, or Distringas, is awarded to a wrong Officer, upon any insufficient suggestion, or by reason the visne is in some part mis-awarded, or sued out of more places, or of fewer places then it ought to be, so as some one place be right named, or by reason that any of the Jurie which tried the said issue, is misnamed, either in the name, surname, or addition, in any of the said Writs, or in any returne upon any of the said Writs, so as upon examination it be proved to be the same Man that was meant to be returned, or by reason that there is no returne upon any of the said Writs, so as a Hannell of the names of Jurors be returned and annexed to the said Writ, or for that the Sheriffes name, or other Officers name, having the return thereof, is not set to the return of any such Writ, so as upon examination it be proved, that the said Writ was returned by the Sheriffe, or Under-sheriffe, or such other Officer, or by reason that the Plaintiffe in any ejectione firmæ, or in any personall action, or suite, being an Infant, under the age of one and twenty years, did appeare by Attourney therein, and the verdict passed for him: Any Law, Custome, or usage to the contrarie notwithstanding.

Provided alwayes, and be it further enacted by the authority aforesaid, That this Act, nor any thing therein contained, shall not extend to any Writ, declaration, or suit of appeale of Felony, or Murder, nor to any inditement, or presentment of Felony, Murder or Treason, nor to any processe upon any of them, nor to any Writ, Bill, Action, or Information, upon any popular, or Penall Statute: Any thing therein contained, to the contrary thereof in any wise notwithstanding.

Provided also, and be it enacted by the authority aforesaid, that all and



and every the Attourney, and Attourneies in any suit, or suits, action or actions, in any Court of Record, shall deliver in his, and their warrant or warrants of Attourneies, in all and every such actions, or suites, wherein they be named Attourneies, to be entred, or filed, of Record, in such manner and form as heretofore by the Law or Statute in that behalf made, they should or ought to have done, upon paine to forfeit ten pounds for every such offence the one moiety thereof to be to the Kings Majesty, his Heires, and Successors, and the other moiety to such other Officer, or Officers, to whom, or in whose Office, the same warrant or warrants should be delivered, entred, or filed, and to suffer imprisonment by the discretion of the Judge, Justice, or Justices of the Court for the time being, wherein any such default shall fortune to be had, or made, the said ten pounds to be recovered by action of debt, bill or information, in which no esoyne, protection, or wager of Law shall be allowed.

CAP. XIII.

An Act concerning the appearance of Jurors in the *Nisi prius*.

In all Humblenesse, we your highnesse Subjects of this your Realm of Ireland, doe pray and beseech your most excellent Majesty, that it may be enacted by your Highnesse, with the assent of the Lords Spirituall and Temporall, and Commons in this present Parliament assembled, in manner and form following, viz. Forasmuch as the issues, joyned in every action, suit, and demand, between party and party, at the Common Law are by the Lawes of this Realm, for the most part tried, and triable by the verdict of twelve men, wherein is daily seen great delay, partly for lack of apperance of the persons returned to try such issues, the occasion whereof cometh by reason of maintenance, imbracery, sinister labour, and corrupt demeanors, and partly by reason of the Challenges of the parties to the Jury, or Jurors, so returned: to the great costs, charges, and hinderances of the parties, to the said actions, suits, and demands, and to the great delay and hinderance of Justice. Eng. 8: 27
Ch. cap. 6

For reformation whereof, and for the more expedition of Justice, hereafter to be had in such maner of tryall of issues, Be it enacted by the authority of this present Parliament, that in every Case, where such persons as should passe upon the Tryall of any Issue joyned in any of the Kings Courts of Record, commonly holden at Dublin, ought by the Law to dispend forty Shillings by the yeare of Freehold, that the Writs of *venire facias*, which from and after the first day of November next, shall be awarded and directed, for the impannelling of such persons, as shall try the same issue, shall be in this form, *Rex &c. præcipimus &c. quod venire facias coram &c. duodecim liberos & legales homines, de visu de B quorum quilibet habeat quadraginta solidat' tenement' vel reddit' per annum ad minus, per quos rei veritas melius sciri poterit: & qui nec, &c.* And so forth, the residue of the said writ, after the ancient form: And in every Case where it is not requisite, that the persons that shall passe upon the triall of any issue, joyned in any of the Kings Courts aforesaid, shall dispend forty Shillings by the yeare, of Freehold, that then the Writs of *venire facias* that shall be awarded after the said first day of November, shall be made after the form aforesaid, omitting this Clause, *quorum quilibet habeat quadraginta solidat' terre tenement' vel redditus per annum ad minus: And that upon every such writ and writs of venire facias, that shall have the said Clause quorum quilibet, &c.* The Sheriffe, or other minister, or ministers, to whom the making of the pannell, shall appertaine, shall not return in any such pannell, any person, unlesse he may dispend forty Shillings 14 & 3: 16

pppp

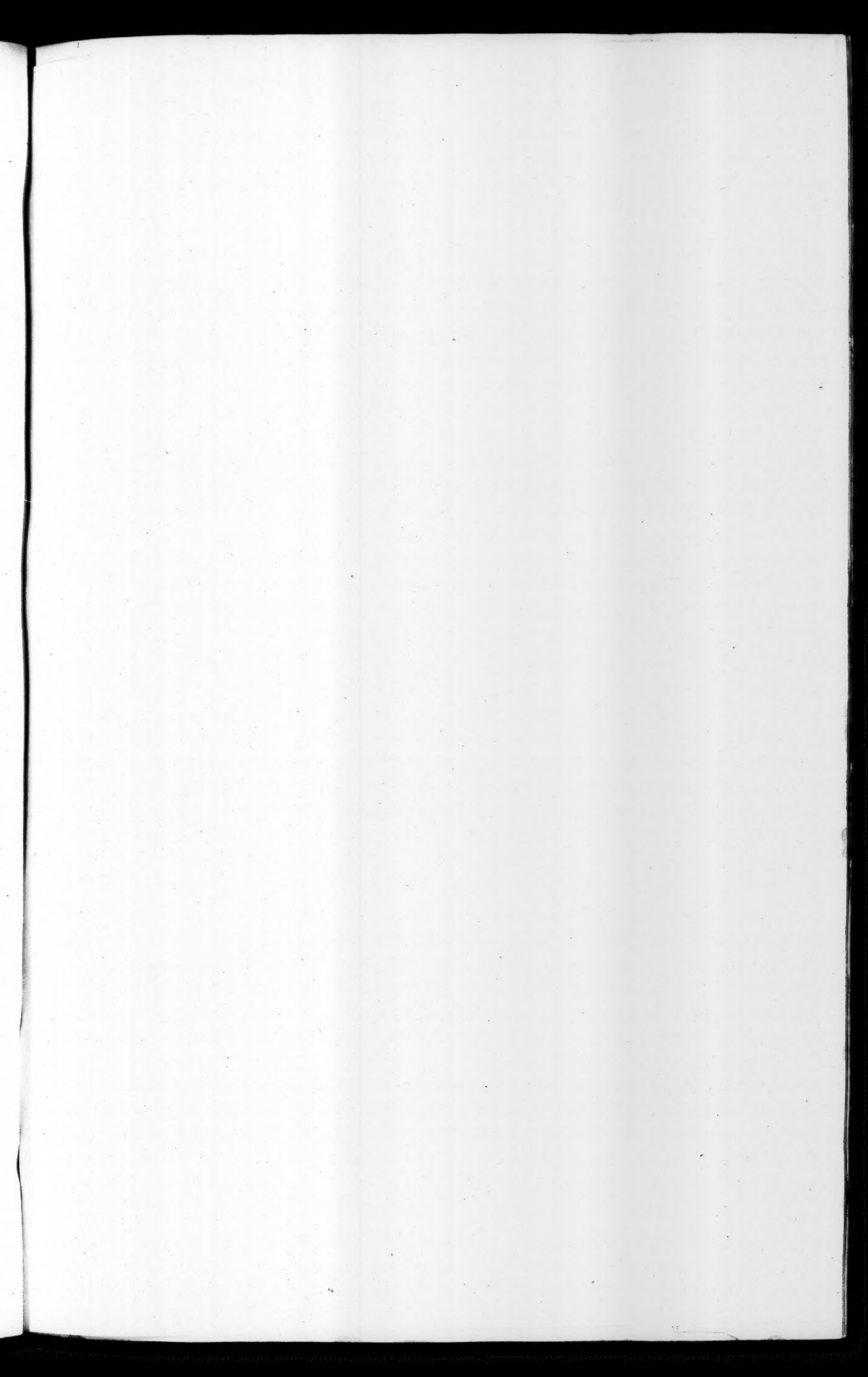
by

by the yeare at the least, of Estate of Free-hold, within the County where the Issue is to be tryed, and also shall return in every such Pannell, upon the same venire facias, to sufficient Hundredors at the least, if there be so many Hundredors within the said Barony or Hundred where the venire lyeth, upon pain to forfeit for every person being returned in any such pannell, that cannot dispend forty Shillings by the yeare, as is aforesaid, twenty Shillings. And for every Hundredor that shall be omitted in such return of the number aforesaid, twenty Shillings. And that the said return of two Hundredors, or more, so made by the Sheriffe shall be as good and sufficient in the Law, to all intents, constructions and purposes, as if foure, or more Hundredors, had been returned, as before the making of this Statute, was used and accustomed: and in every writ of venire facias, wherein the said clause of quorum quilibet, &c. shall be omitted, the Sheriffe or other Minister, or ministers, to whom the making of the Pannell shall appertaine, shall not return in any such pannell, any person, unlesse he have some Lands, or Tenements, of Estate of Free-hoold, within the County where the issue is to be tried: and also shall return in every such pannell upon the same venire facias, two sufficient Hundredors at the least, if there be so many Hundredors within the said Hundred, or Barony, where the venire lyeth, upon like paine, as is aforesaid. And that the said returne of two Hundredors, or more, upon every such venire facias, so made by the Sheriffe, shall be as good and sufficient in the Law, to all intents, constructions, and purposes, as if foure, or more Hundredors, had been returned, as before the making of this Statute was used and accustomed.

Eng: ff 35
 ff 8: C6
 issues: ff
 distringas 58
 ad minus.

second
 distringas
 ten Shillings
 38 distringas
 138: 40:

And furthermore be it enacted by the Authority aforesaid, That upon every first writ of habeas corpora or distringas with a Nisi prius, delivered to the Sheriffe, or other Minister, or Ministers, to whom the making of the return shall appertaine, the said Sheriffe, and other Minister and Ministers, shall from and after the said first day of November, return in issues upon every person impannelled and returned upon any such writ, at the least five Shillings: and at the second writ of habeas corpora, or distringas with a Nisi prius upon every person impannelled and returned upon any such writs, Ten Shillings at the least: and at the third writ of habeas corpora, or distringas, with a Nisi prius, that shall be further awarded upon every person impannelled and returned upon any such writ thirteen Shillings foure pence: and upon every writt that shall be further awarded to try any such issue, to double the issues last afoze specified, untill a full Jury be sworn, or the proccesse otherwise ceased, or determined, upon pain to forfeit for every return to be made, contrary to the form aforesaid, five pounds. And for a more speedy triall of issues to be tried by verdict of twelve men, hereafter to be had, Be it enacted by the authority aforesaid, that in every such writ of habeas corpora, or distringas, with a Nisi prius, where a full Jury shall not appeare before the Justices of Assizes, or Nisi prius, or else, after appearance of a full Jury, by challenge of any of the parties, the Jury is like to remaine untaken, for default of Jurors, That then the same Justices, upon request made by the party Plaintiffe, or demandant, or by him that maketh Cognizance or Abowry in a Replevin, or by the Tenant, or defendant, in all Actions, shall have Authority by vertue of this Act, to command, (as well where the Kings Majestie is, or shall be party, or where the same is, or shall be prosecuted by any Informer, as well for the King, as himselfe, as in all other Actions whatsoever) the Sheriffe, or other Minister, or Ministers, to whom the making



making of the said return shall appertain, as often as need shall require, by the nomination of the Justices of Assizes, or one of them, to impannell so many of such other able persons of the said County then present at the said Assizes, of Nisi prius, as shall make up a full Jury: which persons so to be named and impannelled, shall be added to the former pannell, and their names annexed to the same, and that every of the parties, shall and may have, his or their challenge to the Jurors so named, added and annexed to the said former pannell, in such wise, as if they had been impannelled upon the venire facias, awarded to try the said Issue, and that the said Justices shall and may proceed to the tryall of every such Issue, with these persons that were impannelled, and returned, and with those newly added and annexed to the said former pannell, by vertue of this Act, in such wise as they might, or ought to have done, if all the said Jurors had been returned upon the writ of venire facias, awarded to try the said Issue. And that all and every such tryall had after the said first day of November, shall be as good and effectuell in the Law, to all intents, constructions and purposes, as if such tryall had been had and tryed by twelve of the Jurors, impannelled and returned upon the writ of venire facias, awarded to try such Issue. And in case such persons as shall be named and appointed, as is aforesaid, or any of them, after they shall be called, be present and doe not appeare, or after his, or their Appearance, doe wilfully with-draw him or themselves from the presence of the Court, that then such Justices, shall and may, set such fine upon every such Juror making default, or wilfully with-drawing himself, as is aforesaid, as they shall thinke good by their discretion, the said fine to be levied in manner and form, as the Issues, forfeited and lost by Jurors, by default of their Appearance at the Common Law, have been accustomed to be levied.

And be it further enacted by the authority aforesaid, That where any Jury that shall be returned by the Sheriffe, or other minister, or ministers, shall be made full, by the commandement and nomination of the said Justices, by vertue of this present Act, that yet nevertheless such persons, as were returned in the said pannell by the Sheriffe, or other Minister, or Ministers, to try any such issue, that shall not appear but make default, shall loose the issues upon them returned, in such wise, as though the same Jury had remained, for default of Jurors.

Provided alwayes, and be it enacted, That upon a reasonable excuse for the default of appearance of any Juror, or Jurors sufficiently proved before the Justices of Assizes, or Nisi prius, at the day of their appearance, by the oath or oaths, of one, or more law-full and honest witnesses, that the same Justices, shall have Authority, by their discretions to discharge every such Juror, of every such forfeiture of Issues upon him returned: And that the Sheriffe or Sheriffes, or other Minister or Ministers, having commandement, by the said Justices, to omit the Returning of such Issues, as is aforesaid, upon such Juror, or Jurors, shall be therein discharged of the Penalties aforesaid, for the Non-returning of the said Issues: And that yet notwithstanding, the said return shall be good and effectuell in the Law: Any Law, usage, or custome to the contrary notwithstanding.

Provided also, and be it enacted, by the Authority aforesaid, That if the said Justices, before whom any such Jury should appear, in the County where such Issue is to be tryed, by vertue of a writ of Nisi prius, doe not come at the day and place appointed, but that the Assize, or Nisi prius, for that time, shall be discontinued, for not coming

ming of the said Justices, or for any other occasion, other than by default and lack of Jurozs: that then every one of the same Jurozs shall be discharged for forfeiting of any Issues, upon him returned in the same writ: And the Sheriffe, or any other Minister, or Ministers, shall be likewise discharged of the Penalty of this Statute, for the not returning of such Issues, as are before limited in this Act: any Article, or Sentence, herein contained to the contrary notwithstanding.

Also be it further enacted by the authority aforesaid, That if upon any such writ of Habeas corpora, or distringas, with a Nisi prius, Issues be returned upon any Hundredors, Juroz or Jurozs, by the Sheriffe, or other Minister or Ministers, to whom the Execution of the same writ or writs shall appertaine, whereas the same Hundredors and Jurozs, shall not be lawfully summoned, warned, or distrained, in that behalfe: That then every such Sheriffe, or other Minister, or Ministers aforesaid shall lose for every such offence so committed, double so much as the said Issues, returned upon such Hundredors, or Jurozs, not lawfully summoned, warned, or distrained, shall amount unto: The Moety of all which forfeitures contained in this present Act, other than the Issues to be returned upon the Jurozs, as is aforesaid, shall be to the King our Soberaigne Lord, and the other halfe to him that will sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of the Kings Courts of Record, in which no Waiver of Law, Essoyne or protection shall be allowed, ne admitted. Saving to all manner of persons and bodies politique and corporate, their Heires, and Successors, having lawfull right, title, and interest, to have such Issues, to be before any such Justices of Assize, of Nisi prius, at any time or times hereafter, lost and forfeited, all such right, title and interest, as they, or any of them, would, or might have had, to such Issues, to be lost and forfeited, as though this Act had never been had, or made.

Provided also, that this Act, nor any thing therein contained, shall not extend to any City, or Towne corporate, or to any Sheriffe, Minister or Ministers in the same, for the returne of any Inquest, or Pannell to be made, and returned, of persons inhabiting in the said Cities or Townes corporate, but that they and every of them, shall and may returne such persons in every such Inquest, or Pannell, as before this time they might, and have been accustomed to doe, and as this Act had never been had, or made: so that the same Sheriffe, Minister or Ministers, return upon such persons as shall be impanelled, like issues, as are before mentioned in this Act: any thing in the same contained to the contrary, notwithstanding.

CAP. XIV.

An Act for the continuance of Actions after the death of any King.

Eng: R: 1
Ed: 6 cap 7

Whereas the Kings Subjects heretofore, have to their great charges, costs and expences, prosecuted and sued, divers and sundry Actions, as well reall and personall, as all other actions mixt, or otherwise, in the Kings Majesties Courts, and other Courts of Records, not onely by writs, but also by Plaints or Bills: which Actions, Suits, Bills and Plaints, by the death or demise of the Kings of this Realm, have been discontinued, and the parties in every such Actions, Suits, Bills and Plaints, thereby have been put without day, whereby the Demaundants, Plaintiffes and Actozs, in every such Action and Suite, were compelled and driven, by the order of the Lawes of this Realm, for their further remedy, further to Commence or begin againe, his or their said Actions, Suits, or Plaints, or else to prosecute and sue Re-summions, Re-attachments scire facias, or such other like

like Procelle, to rebibe his, or their said Actions, Suits, or Plaints, which was not onely to their great costs, charges, expences, hinderances and delay of their Causes and Suits, but also a great lett and hinderance of Justice.

For reformation whercof, Be it ordained, established, and enacted by the King our Soberaigne Lord, and the Lords and Commons in this present Parliament assembled, and by the authority of the same, That from henceforth, by the death, or demise of the Kings Majesty, that now is, (whose life, Almighty God long preserve, keep, and maintaine in his most Royall Estate) nor by the Death, or Demise of any that hereafter shall be King of this Realm, any Action, Suite, Bill, or Plaint, now, or that hereafter shall depend between party and party, in any of the Courts aforesaid, shall not in any wise be discontinued, or put without day: But that the Procelle, Pleas, Demurrers, and Continuances in every Action, Actions, Suits, Bills or Plaints, which now, or that hereafter shall depend, shall stand good and effectuell, and be prosecuted and sued forth, in such manner and form, and in the same Estate, Condition and order, as if the same King had lived and continued in full life: the Death or Demise hereafter of any King of this Realm, notwithstanding. And that all and all manner of Judiciable procelle, that hereafter shall be had, or pursued, in the time of the raigne of any other King, than raigne at the time of the pursuit of the Originall, or other former Procelle, shall be made in the name of the King, that for the time shall raigne, and be King of this Realm, and that variance touching the same Procelle, between the names of the Kings, shall not be in any wise materiall, as concerning any default to be alledged, or objected therefore.

And also be it further enacted and established by the authority aforesaid, That all and every Writ of Novell disseizin, Writ of Mortdancer, Juris utrum, and Attaint, which at any time hereafter shall be arraigned, commenced, or sued, before any of the Kings Justices of Writ shall not from henceforth be discontinued, or put without day, by reason of death, new Commission, Association, or not comming of the same Justices of Writs or any of them. But shall stand good and effectuell in the Law, to all intents, constructions and purposes, The death, the new commission, Association, or not comming of the same Justices, or any of them, in any wise notwithstanding.

And over that, be it ordained and enacted by the authority aforesaid That albeit any Demandant, or plaintiffe, in any manner of Action, Bill, or Suite, shall fortune to be made or created Duke, Archbishop, Marquesse, Earle, Viscount, Bishop, Baron, Justice of the one Bench, or of the other, Baron of the Exchequer, Knight, or Serjeant at Law, depending the same Action, Bill or Suite, yet that notwithstanding, that no Writ, Action or Suite, shall for such cause in any wise be abatable, or abated, but shall remaine in like force, goodnesse and strength, as the same was before: Any law or usage to the contrary in any wise notwithstanding.

And also be it ordained and enacted by the authority aforesaid, that albeit any person or persons, being Justice of Writ, Justice of Coale delivery, Justice of Peace within this Realm, or being in any other of the Kings Commissions whatsoever, shall fortune to be made or created Duke, Archbishop, Marquesse, Earle, Viscount, Bishop, Baron, Justice of the one Bench, or of the other, Baron of the Exchequer, Knight, Serjeant at Law, or Sheriffe, yet that notwithstanding, he and they shall remaine Justice and Commissioner and have full power and authority

authority to execute the same in like manner and forme, as he or they, might, or ought to have done, before the same.

And be it ordained and enacted by the authority aforesaid, That in all cases where any person or persons heretofore have been or hereafter shall be found guilty of any Manner of Treason, Murder, Man-slaughter, Rape, or other felony whatsoever: for the which, Judgement of Death, should or may ensue, and shall be reprimed to Prison, without Judgement at that time, given against him, her, or them, so found guilty, That all and every person or persons, that at any time hereafter, shall by the Kings Commission be assigned Justice or Justices, to deliver the Goale, where any such person or persons found guilty, shall remaine, shall have full power and authority to give Judgement of death against such person or persons, so found Guilty and reprimed, as the same Justice or Justices (before whom such person or persons, was, or were found guilty) might have done, if their Commission of Goale delivery had remained and contained in full force and strength.

Also, be it also enacted by the authority aforesaid, that in all cases, where any person or persons heretofore have been, or hereafter shall be adjudged and condemned of any manner of Treason, or felony whatsoever, and shall be reprimed, or the execution respited for any cause whatsoever, That every person or persons, which at any time hereafter shall by the Kings Commission be assigned Justice or Justices, to deliver the Goale, where any such person or persons, adjudged and condemned, as aforesaid, shall remaine not executed, shall have full power and authority to award execution upon every such Judgement, against every such person or persons adjudged and condemned, as aforesaid, in as large and ample manner and form, to all intents, constructions and purposes, as the same Justice or Justices, by whom such judgments was given, might have done, (if no cause had to him or them appeared, for the stay, respiting, or deferring of the execution) and as if his or their Commission of Goale delivery had remained and continued in full force and strength. And over that, that no manner of Proccesse or Suite, made, sued, or had, before any Justices of Assize, Goale-delivery, Oyer and Terminer, Justices of Peace, or other of the Kings Commissioners, shall in any wise be discontinued by the making and publishing of a new Commission, or Association, or by altering of the names of the Justices of Assize, Goale-delivery, Oyer and Terminer, Justices of Peace or other the Kings Commissioners: but that the new Justices of assize, Goale-delivery and of the Peace, and other Commissioners may proceed in every behalfe, as if the old Commissions and Justices, and Commissioners had still remained, and continued not altered.

C A P. XV.

Like Proccesse shall be had in every Writ of Annuity, and certaine other Actions, as in an Action of debt.

Eng: R: 23
D: cap: 14

FOrasmuch as there are great delays in Actions of Trespasse, brought upon the Statute of King Richard the second, made in the fifth yeare of his Raigne, against them that make Entries into any Lands, or Tenements, where their Entry is not given by the Law; and also in Actions upon the Case, Actions of Annuity, and Actions of Covenant, because there lyeth no proccesse of Outlawry, in such nature of Actions.

For reformation whereof, It may please the Kings Highnesse by the advice of his Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, and by authority of the same, to ordaine



ordaine and enact, That like processe be had hereafter in every Action from henceforth, to be brought upon the Statute of Anno quinto, and in every Action upon the Case, as is in a common Action of Trespass at the Common Law, and that also like processe be had in every writ of annuities, and Covenant, hereafter to be sued as in an Action of debt.

CAP. XVI.

An Act for ease in pleading against troublesome and contentious Suits, Prosecuted against Sheriffs, Justices of peace, Mayors, Constables, and certaine other Officers, for the lawfull execution of their Office.

For ease in pleading against many causelesse and contentious Suits, which have been, and dayly are commenced and prosecuted against Sheriffs, Justices of Peace, Mayors, or Bayliffes of Cities and Townes Corporate, Head-Burroughs, Portereves, Constables, Over-seers of the poore, Tithing-men, Collectors of Subsidies and fifteens, and Church-wardens, and other Officers, who for due execution of their Offices, have been troubled and molested, and still are like to be troubled and molested, by evill disposed, contentious persons to their great charge and discouragement in doing their Offices.

Eng. 8: 7
Ja. cap 5.
for 7 years
perpetuated
the 21 Ja.
cap: 12

Be it therefore enacted by our Sovereign Lord the Kings Majesty, and by the Lords Spirituall and Temporall, and Commons in this present Parliament assembled, and by the authority of the same, That if any Action, Bill, Plaint, or Suit upon the case, trespassse, battery, or false imprisonment, shall be brought, after the end of this present Session of Parliament, against any Sheriffe, Justice of Peace, Mayor or Bayliffe, of City or Towne Corporate, Head-Burrough, Portereve, Constable, Tithing-men, Over-seer of the poore, Collector of Subsidie or fifteens, Church wardens, or any other Officer, or Officers, executing his or their Office, or Offices and their Deputies, or any of them or any other, which in their ayde, or assistance, or by their commandement, shall doe any thing touching or concerning their Office or Offices for or concerning any matter, cause, or thing, by them, or any of them done, by vertue, or reason of their, or any of their Office or Offices: That the said Action, Bill, Plaint, or Suite, shall be laid within the County where the Trespasse or fact shall be done and committed, and not elsewhere. And that it shall be lawfull, to and for all and every person and persons aforesaid, to plead thereunto the generall issue, that he or they are not guilty, and to give such speciall matter in evidence to the jury, which shall try the same: which speciall matter being pleaded, had been a good sufficient matter in Law: to have discharged the said Defendant or Defendants of the trespassse or other matter, laid to his or their charge. And that if upon tryall of any such Action, Bill, Plaint or suite, the Plaintiffe or Plaintiffes therein, shall not prove to the Jury which shall try the same: that the Trespasse, Battery, imprisonment or other fact or Cause of his, her or their such Action, bill Plaint or Suite, was or were, had, made, committed or done within the County wherein such Action, Bill, Plaint or Suite shall be laid: that then in every such case the Jury which shall try the same: shall finde the Defendant and Defendants in every such Action, Bill, Plaint or suite not guilty: without having any regard or respect to any evidence given by the Plaintiffe or Plaintiffes therein, touching the trespassse, battery imprisonment, or other cause: for which the same Action, Bill, Plaint or Suite is, or shall be brought. And if the verdict shall pass with the Defendant or Defendants, in any such Action, Bill, Plaint or Suite or the Plaintiffe or Plaintiffes therein, become non-suite, or suffer any discon-

discontinuance thereof, that in every such case, the Defendant or Defendants, shall have his, or their double costs, which he or they, shall have sustained, by reason of their wrongfull veration in defence of the said Action or Suit, for which the said Defendant or Defendants, shall have like remedy, as in other cases, where costs, by the Laws of this Realm are given to the Defendants.

CAP XVII.

An Act, that where the Plaintiff is non-suit, the Defendant shall recover costs.

11 Car: 1:
cap 8: for the
like matter
Eny. 8: 23
15: cap: 15

2 D 4: 10:
that there
can be no
non-suit af-
ter verdict

non suit in
replication
33: D: 8: 67:

not to per.
for admitt-
ed in forma
parietis.

BE it enacted by the King our Sovereign Lord, and the Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, and by the authority of the same: That if any person or persons, at any time, after the first day of May, which shall be in the year of our Lord God 1635. Commence or sue, in any Court of Record, or elsewhere, in any other Court, any Action, Bill, or Plaint, or Trespasse upon the Statute of King Richard the second, made in the fifth year of his reigne, for Entries into Lands and Tenements, where none entrie is given by the Law, or any Action, Bill, or plaint of debt, or Covenant, or upon any Contract, supposed to be made between the Plaintiff or Plaintiffs, and any person or persons, or any Action, Bill or Plaint of Detinue, of any Goods or Chattels, whereof the Plaintiff or Plaintiffs, shall suppose that the property belongeth to them, or to any of them, or any Action, Bill, or Plaint of Account, in the which the plaintiff or plaintiffs suppose the defendant or defendants to be their Baliffe or Baliffes, Receiver or Receivers, of their Mannor, Mease, Money or Goods to yeeld account: or any Action, Bill or Plaint upon the case, or upon any Statute, for any offence or wrong personall, immediatly supposed to be done to the Plaintiff or Plaintiffs: and the Plaintiff, or Plaintiffs, in any such kind of Action, Bill or Plaint, after appearance of the Defendant or Defendants be Non-sued, or that any Verdict happen to passe by lawfull triall against the Plaintiff or Plaintiffs in any such Action, Bill or plaint, That then the Defendant or Defendants, in every such Action, Bill or Plaint, shall have Judgement to recover his Costs against every such Plaintiff or Plaintiffs: And that to be assessed and taxed by the discretion of the Judge or Judges of the Court, where any such Action, Bill, or plaint shall be commenced, sued, or taken: Also that every Defendant in such Action, Bill, or plaint, shall have such processe & Execution for the recovery & having of his Costs against the plaintiff or plaintiffs, as the same plaintiff or plaintiffs, should, or might have had against the Defendant or Defendants, in case that Judgement had been given for the part of the said plaintiff or plaintiffs, in any such Action, Bill, or plaint.

Provided alway, that all and every such poore person, or persons, being plaintiff or plaintiffs, in any of the said Actions, Bills, or plaints, which at the commencement of the Suits, or Actions, be admitted by discretion of the Judge or Judges, where such suits or Actions shall be pursued or taken, to have their processe and counsell of charity, without any money or fee paying for the same, shall not be compelled to pay any costs, by vertue and force of this Statute, but shall suffer other punishment, as by the discretion of the Justices or Judge, before whom such Suits shall depend, shall be thought reasonable: Any thing afore rehearsed to the contrary hereof notwithstanding.

Provided notwithstanding, That if the plaintiff or plaintiffs, be, or shall be Non-sued in any whatsoever Action, Suit, Bill, or plaint, commenced, or to be commenced, sued, or to be sued, to the use of our said

saied So veraigne Lord the King, his Heires or Successors, or that it shall happen any such Verdict to passe against any such Plaintiffe this Table or Plaintiffes, in any Action, Suit, Bill, or plaint, sued, or to be sued not in the to the Kings use, the Defendant or Defendants shall not recover any Eng. 15. 6. costs against any such plaintiffe or plaintiffes: Any Act, or Statute, Eng. 21. 8. made in this present Parliament, or any other thing to the contrary Ch. cap. 2 being in any wise notwithstanding.

CAP. XVIII.

An Act appointing an Order to Iustices of peace, touching the Bailement, committing, and taking Examination of Prisoners, &c.

VV Here in the Parliament holden at Westminder, in the Eng. 1. 6. 2. third yeare of the Raigne of the Noble Prince Henry the 6. 3. cap. seventh: It was among other things, ordained and enacted, that no Prisoner, arrested for Felony, should be letten to Baile 3. 7. cap. 3. or Mainprise, by any one Justice of peace, but by the whole Justices, or 1. 3. cap. 3. at least by two of them, whereof one to be of the Quorum: Since the making of which Statute, one Justice of peace, in the name of himselfe, and one other of the Justices, his Companion, not making the said Justice party, nor priby unto the case, wherefore the prisoner should be bailed, hath oftentimes by sinister labour and means, set at large the greatest Offendors, such as be not replevisable by the Lawes of this Realm, and yet the rather to hide their affections in that behalfe, have signified the cause of their Apprehension, to be but onely for Suspicion of Felony, whereby the said Offendors have escaped unpunished, and doe daily to the high displeasure of Almighty God, the great perill of the Kings true Subjects, and encouragement of all Thieves and evill Doers.

For Reformation whereof, Be it ordained, and enacted by the Kings most excellent Majesty, the Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, and by Authority of the same, that from & after the first day of May next ensuing, no Justice or Justices of Peace, shall let to Baile or Mainprise, any such person or persons, which for any offence or offences, by them or any of them committed, be declared not to be Replevies or Bailed, or be forbidden to be Replevied or Bailed by the Statute of Westminder the first, made in the Parliament holden in the third yeare of the Reign of King Edward the first. And furthermore, that any person or persons, arrested for Man slaughter or Felony, or suspicion of Man-slaughter or Felony, being Bailable by the Law, shall not after the said first day of May, be let to Baile or Mainprise, by any Justices of Peace, if it be not in open Sessions, except it be by two Justices of peace at the least, whereof one to be of the Quorum, and the same Justices to be present together at the time of the said Bailement, or Mainprise: which Bailement or Mainprise they shall certifie in writing, subscribed or signed with their owne hands, at the next generall Goale-delivery to be holden within the County, where the said person or persons shall be arrested or suspected. And that the said Justices, or one of them, being of the Quorum, when any such prisoner is brought before them, for any Man-slaughter or Felony, before any Baile or Mainprise, shall take the examination of the said prisoner, and information of them that bring him, of the fact and circumstances thereof, and the same, or as much thereof, as shall be materiall to prove the Felony, shall put in writing before they make the same Bailement: which said examination, together with the said Bailement, the said Justices shall certifie at the next generall Goale-delivery to be holden within the County where such Offence or Offences

ought to be tryed: And that every Coroner upon any inquisition, before him found, whereby any person or persons shall be indicted for murder or Man-slaughter, or as Accessarie or Accessaries to the same, before the Murder or Man-slaughter committed, shall put in writing the effect of the Evidence given to the Jury before him, being materiall, and as well the said Justices as the said Coroner shall have Authority by this Act, to bind all such by Recognizance or Obligation, as do declare any thing materiall to prove the said Murder or Man-slaughter, or offences, or Felonies, or to be Accessary or Accessaries, of the same, as is aforesaid, to appeare at the next generall Goale-delivery, to be holden within the County, City or towne corporate, where the triall thereof, shall be, then and there to give in Evidence, against the party so indicted, at the time of his tryall, and shall certifie as well the same Evidence, as such Bond and Bonds in writing, as he shall take together with the inquisition or indictment, before him taken and found, at or before the time of the said triall thereof to be had or made. And likewise the said Justices shall certifie all and every such Bond taken before them, in like manner as before is said of Bailements and examination. And in case any Justice of peace, of Quorum, or Coroner, shall after the said first day of May, offend any thing contrary to the true intent and meaning of this present Act; That then the Justices of Goale-delivery of the Shire, City, Towne or place, where such offence shall happen to be committed, upon due prooffe thereof by examination before them, shall for every such offence, set such fine on every of the same Justices of the Peace; and Coroner as the same Justices of Goale-delivery shall think meet, and estate the same as other fines and Amerciaments, assessed before Justices of Goale-delivery ought to be.

And be it also enacted by the authority aforesaid, that no Writ of Habeas Corpus or Certiorari, shall be hereafter granted to remove any prisoner out of any Goale or to remove any Recognizance, except the same Writs do containe a Clause to certifie the true cause of the imprisonment of the said prisoner, and the cause of the taking of the said Recognizance, and the names of the Justices of the Peace who committed such prisoner and tooke such Recognizance: And except the same Writ be signed with the proper hands of the chief Justice, or in his absence, of one of the Justices of the Court, out of which the same Writ shall be awarded or made upon paine that he that writeth any such Writ in other manner, as is aforesaid, not being signed, as is aforesaid, do forfeit to our said Sovereigne Lord the king for every such Writ, five pounds And that all Writs of Certiorari, and Habeas Corpus, from henceforth to be issued, contrary to this Act, shall be utterly void, and of none effect, and shall be no Warrant to remove the prisoner, or Recognizance.

Be it further enacted by the authority of this present Parliament, that from henceforth such Justice or Justices, before whom any person or persons shall be brought for any Treason, Murder, Man-slaughter or Felony, or for suspicion thereof, before he or they shall commit or send such prisoner or prisoners to Ward, shall take the examination of such prisoner and prisoners, and information of those that bring him or them, of the fact and circumstance thereof: And the same, or as much thereof as shall be materiall to prove the said Treason, Murder Man-slaughter, or Felony shall put in writing within two dayes after the said Examination. And the same shall certifie in such manner and form, and at such time, as he or they, should and ought to do if such prisoner or prisoners so committed or sent to Ward, were baileable, or



had been bailed, or let to mainprife, upon such paine, as in this Act is above limited and appointed, for not taking, or not certifying of Examinations.

And be it further enacted by the authority aforesaid, That the said Justice or Justices, shall have authority by this Act, to bind all such by Recognizance, or Obligation, as doe declare any thing materiall to prove the said Treason, Murder, Man-slaughter, or Felony, against such prisoner or prisoners as shall be so committed to Ward, to appeare at the next Generall Goale-delivery, to be holden within the County, City, or Towne, Corporate, where the tryall of the said Treason, Murder, Man-slaughter, or Felony shall be, then and there to give evidence against the party. And that the said Justice or Justices, shall certifie the said Bonds taken before him or them, in like manner as they should and ought to certifie the Bonds where the prisoner is bailable, and let to Bayle or Mainprife, upon such paine, as in this Statute is formerly mentioned, for not certifying such Bonds concerning such prisoners as shall be let to Baile or Mainprife, as aforesaid.

CAP. XIX.

An Act for the Trial of Murders and Felonies committed in severall Counties, &c.

FOR as much as the most necessary Office and Duty of Lawes, is to preserve and save the life of Man, and condignely to punish such persons that unlawfully or willfully murder, slay or destroy men: And also that another office and duty of Law, is to punish Robbers and Thieves, which daily endeavour themselves to rob and steale, or give assistance to the same, & yet by craft and cautie, doe escape from the same without punishment. And where it often happeneth and cometh in ure in sundry Counties of this Realm, that a Man is feloniously stricken in one County, and after dieth in another County: In which case, and divers other cases of that nature, it hath not been found by the Lawes and customes of this Realm, that any sufficient Indictment thereof can be taken in any of the said two Counties, for that by the customes of this Realm, the Jurors of the County where such party dyed of such stroke, can take no knowledge of the said stroke, being in a foreign County, although the same two Counties and places adjoyne very nax together, nor the Jurors of the County where the stroke was given, cannot take knowledge of the death in any other County, although such death most apparently came of the same stroke: So that the Kings Majesty within his owne Realm, cannot by any Lawes, yet made or knowne, punish such Murderers or Man-killers, for offences in this form committed and done, nor any Appeale at some time may lye for the same, but doth also faile, and the said Murderers and Man-killers escape thereof without punishment, as well in cases where the Counties where such offences be committed and done, may joyne, or otherwise where they may not joyne. And also it is a common practise among arrant Thieves and Robbers in this Realm, that after they have robbed or stolen in one County, they will convey their Spoile, or part thereof, so Robbed and stolen, unto some of their Adherents, in some other County where the Principall Offence was not committed or done, who knowing of such Felony, willingly, and by false cobin, receive the same: in which case, although the Principall Felon be attainted in the one County, the Accessary escapeth by Reason that he was Accessary in another County, and that the Jurors of the said other County, by any Law yet made, can take no knowledge of the principall Felony nor Attainder in the first County, and so such Accessaries escape thereof unpunished, and doe often put in ure the same knowing that they may escape

Eng. 2.
Co: 6 cap 24.

scape without punishment. For redzele and punishment of which offences, and other offences of like nature, and safegaurd of mans life Be it enacted by Authority of this present Parliament, That where any person or persons hereafter, shall be traiterously or feloniously stricken, poysoned, or bewitched in one County, and dye of the same stroke, poysoning, or bewitching, in any other County within this Kingdome, or in any other part or place out of this Kingdome: Or where any person or persons hereafter shall be traiterously stricken, poysoned bewitched, in any part or place out of this Kingdome, and dye of the same stroke, poysoning or bewitching in any County within this Kingdome: That then an Indictment thereof found by Iurozs of the County where the death shall happen (if in case the same death happen to be within any County within this Kingdome, whether it shall be found by the Coroner upon the sight of such dead body, or before the Iustices of peace or other Iustice or Iustices, Commissioner or Commissioners, which shall have Authority to inquire of any Treasons, Murders, or Man-slaughters,) shall be as good and effectuell in the Law, as if the stroke poysoning or witchcraft had been given, committed, or done in the same County where the party shall dye, or where such Indictment shall be so found. And in case such death shall happen to be in any other part or place out of this Realm, That then an Indictment thereof, found by Iurozs of the County, where any such stroke, poysoning, or witchcraft shall be given, committed or done before the Iustices of the peace or other Iustice or Iustices, Commissioner or Commissioners, which shall have Authority to inquire of any Murders or Man-slaughters and the Tryall and Judgement thereupon had and given, shall be as good and effectuell in the Law, to all intents, constructions and purposes, as if the same death had happened in the same County where such stroke, poisoning, and witchcraft was given, committed or done, any Law or usage to the contrary notwithstanding. And that the Iustice or Iustices of Gaole-delivery, Oyer and Determiner in the same County where such Indictment at any time hereafter shall be taken, and also the Iustices of the Kings Bench after such Indictment shall be removed before them, shall and may proceed upon the same, in all points, as they should or ought to doe, in case such Felonious stroke and Death there by ensuing, or poysoning and death thereof ensuing, or bewitching and death thereof ensuing, had growne all in one and the same County. And that such party to whom Appeale of Murder or Man-slaughter shall be given by the Law may commence, takee sue Appeal of Murder, or Man-slaughter in the same County, where the party so feloniously stricken, poysoned, or bewitched, shall dye: in case he dye within any County within this Realm, and in case such death happen out of this Kingdome, then in such County where such stroke, poisoning, or witchcraft was committed or done. And that in both cases as well against the principall and principals, as against every Accessary to the same offences, in whatsoever County or place within the Kings Dominions, the Accessary or Accessaries shall be guilty to the same. And further, the Iustice or Iustices before whom any such Appeale shall be commenced, sued or taken, within the yeare and day after such Murder or Man-slaughter committed and done, shall proceed against all and every such Accessary and Accessaries in the same County where such Appeale shall be so taken in like manner and form, as if the same offence or offences of Accessary or Accessaries had been committed and done in the same County where such Appeale shall be so taken, as well concerning the Triall by the

Iurozs

Jurors or twelve men of such County where such Appeale or appeals shall be hereafter taken upon the plea of not guilty, pleaded by such Offendor or Offendours, as otherwise.

And further be it enacted by the Authority aforesaid, That where any Murder or Felony hereafter shall be committed and done in one County, and another person or more shall be Accessary or Accessaries in any manner of wise to any such Murder, or Felony, in another County within this Realm, or in any other part or place out of this Realm, That then an Indictment found or taken against any such Accessary or Accessaries upon the circumstance of such matter before the Justices of the peace, or other Justice or Justices, Commissioner or Commissioners to inquire of Felonies in the County where such offences of Accessary or Accessaries in any manner of wise shall be committed or done, in case the said offences, of Accessary or Accessaries be committed or done in any County within this Realm, shall be as good and effectually in the Law, as if the said principall offence had been committed or done within the same County where the same Indictment against such Accessary shall be found. And that the Justice or Justices of Goale-delivery, or Oyer and Determiner, or two of them, of or in such County, where the offence of any such Accessary shall be hereafter committed and done, upon suit to them made, shall write to the Custos Rotulorum, Clerk of the Crowne, or other Keepers of the Records, where such principall shall be hereafter attainted or convicted, to certifie them whether such principall be attainted, convicted or otherwise discharged of such principall Felony, who up on such writing to them or any of them directed, shall make sufficient Certificate in writing under their Seale or seals to the said Justice or Justices, Commissioner or Commissioners, whether such principall be attainted, convicted, or otherwise discharged, or not. And after that, they that so shall have the custody of such Records, do certifie, that such principall is attainted, convicted, or otherwise discharged of such offence by the Law, That then the Justice or Justices of Goale-delivery, or of Oyer and Terminer, or other there authorized, shall proceed upon every such Accessary, in the County where such Accessary or Accessaries became Accessary, in such manner and forme, as if both the same principall offence and Accessary had been committed & done in the same County, where the offence of Accessary was or shall be committed or done: intasec that such offence of accessary or Accessaries shall happen to be committed or done in any place out of this Kingdome: That then an Indictment found or taken against such Accessaries, or Accessary, upon the circumstance of such matter, before the Justices of the Peace, or other Justice or Justices, Commissioner or Commissioners, to inquire of any Treasons, Murderers, Man-slaughters or other Felonies, in such County where the principall Offendor shall or may receive his Tryall by force of this Act of Parliament shall be as good and effectually in the Law, to all intents, Constructions and purposes, as if the said offences of Accessary had been committed or done in the same County where the same Indictment against such Accessary shall be found: Any Law Usage, Custome, or other thing to the contrary notwithstanding.

And be it further enacted by the authority aforesaid, that every Accessary and other Offendor above expressed, shall answer upon their arraignments, and receive such tryall, judgement, order and Execution and suffer such forfeitures, paines and penalties, as is used in other cases of Treason, Murder, Man-slaughter, or other Felonies: Any Law or Custome to the contrary thereof heretofore used in any wise

scape without punishment. For redzelle and punishment of which offences, and other offences of like nature, and safegaurd of mans life Be it enacted by Authority of this present Parliament, That where any person or persons hereafter, shall be traiterously or feloniously stricken, poysoned, or bewitched in one County, and dye of the same stroke, poysoning, or bewitching, in any other County within this Kingdome, or in any other part or place out of this Kingdome: Or where any person or persons hereafter shall be traiterously stricken, poysoned bewitched, in any part or place out of this Kingdome, and dye of the same stroke, poysoning or bewitching in any County within this Kingdome: That then an Indictment thereof found by Jurors of the County where the death shall happen (if in case the same death happen to be within any County within this Kingdome, whether it shall be found by the Coroner upon the sight of such dead body, or before the Justices of peace or other Justice or Justices, Commissioner or Commissioners, which shall have Authority to inquire of any Treasons, Murders, or Man-slaughters,) shall be as good and effectuell in the Law, as if the stroke poysoning or witchcraft had been given, committed, or done in the same County where the party shall dye, or where such Indictment shall be so found. And in case such death shall happen to be in any other part or place out of this Realm, That then an Indictment thereof, found by Jurors of the County, where any such stroke, poysoning, or witchcraft shall be given, committed or done before the Justices of the peace or other Justice or Justices, Commissioner or Commissioners, which shall have Authority to inquire of any Murders or Man-slaughters and the Tryall and Judgement thereupon had and given, shall be as good and effectuell in the Law, to all intents, constructions and purposes, as if the same death had happened in the same County where such stroke, poysoning, and witchcraft was given, committed or done, any Law or usage to the contrary notwithstanding. And that the Justice or Justices of Goale-delivery, Oyer and Determiner in the same County where such Indictment at any time hereafter shall be taken, and also the Justices of the Kings Bench after such Indictment shall be removed before them, shall and may proceed upon the same, in all points, as they should or ought to doe, in case such felonious stroke and Death there by ensuing, or poysoning and death thereof ensuing, or bewitching and death thereof ensuing, had growne all in one and the same County. And that such party to whom Appeale of Murder or Man-slaughter shall be given by the Law may commence, take sue Appeal of Murder, or Man-slaughter in the same County, where the party so feloniously stricken, poysoned, or bewitched, shall dye: in case he dye within any County within this Realm, and in case such death happen out of this Kingdome, then in such County where such stroke, poysoning, or witchcraft was committed or done. And that in both cases as well against the principall and principals, as against every Accessary to the same offences, in whatsoever County or place within the Kings Dominions, the Accessary or Accessaries shall be guilty to the same. And further, the Justice or Justices before whom any such Appeale shall be commenced, sued or taken, within the yeare and day after such Murder or Man-slaughter committed and done, shall proceed against all and every such Accessary and Accessaries in the same County where such Appeale shall be so taken in like manner and form, as if the same offence or offences of Accessary or Accessaries had been committed and done in the same County where such Appeale shall be so taken, as well concerning the Triall by the

Jurors

Jurors or twelve men of such County where such Appeale or appeals shall be hereafter taken upon the plea of not guilty, pleaded by such Offendor or Offendors, as otherwise.

And further be it enacted by the Authority aforesaid, That where any Murder or Felony hereafter shall be committed and done in one County, and another person or more shall be Accessary or Accessories in any manner of wise to any such Murder, or Felony, in another County within this Realm, or in any other part or place out of this Realm, That then an Indictment found or taken against any such Accessary or Accessories upon the circumstance of such matter before the Justices of the peace, or other Justice or Justices, Commissioner or Commissioners to inquire of Felonies in the County where such offences of Accessary or Accessories in any manner of wise shall be committed or done, in case the said offences, of Accessary or Accessories be committed or done in any County within this Realm, shall be as good and effectually in the Law, as if the said principall offence had been committed or done within the same County where the same Indictment against such Accessary shall be found. And that the Justice or Justices of Gaole-delivery, or Oyer and Determiner, or two of them, of or in such County, where the offence of any such Accessary shall be hereafter committed and done, upon suit to them made, shall write to the Custos Rotulorum, Clerk of the Crowne, or other Keepers of the Records, where such principall shall be hereafter attainted or convict, to certifie them whether such principall be attainted, convicted or otherwise discharged of such principall Felony, who up on such writing to them or any of them directed, shall make sufficient Certificate in writing under their Seale or seals to the said Justice or Justices, Commissioner or Commissioners, whether such principall be attainted, convicted, or otherwise discharged, or not. And after that, they that so shall have the custody of such Records, do certifie, that such principall is attainted, convicted, or otherwise discharged of such offence by the Law, That then the Justice or Justices of Gaole-delivery, or of Oyer and Terminer, or other there authorized, shall proceed upon every such Accessary, in the County where such Accessary or Accessories became Accessary, in such manner and forme, as if both the same principall offence and Accessary had been committed & done in the same County, where the offence of Accessary was or shall be committed or done: intasec that such offence of accessary or Accessories shall happen to be committed or done in any place out of this Kingdome: That then an Indictment found or taken against such Accessories, or Accessary, upon the circumstance of such matter, before the Justices of the peace, or other Justice or Justices, Commissioner or Commissioners, to inquire of any Treasons, Murders, Man-slaughters or other Felonies, in such County where the principall Offendor shall or may receive his Tryall by force of this Act of Parliament shall be as good and effectually in the Law, to all intents, Construtions and purposes, as if the said offences of Accessary had been committed or done in the same County where the same Indictment against such Accessary shall be found: Any Law Usage, Custome, or other thing to the contrary notwithstanding.

And be it further enacted by the authority aforesaid, that every Accessary and other Offendor above expressed, shall answer upon their arraignments, and receive such tryall, judgement, order and Execution and suffer such forfeitures, paines and penalties, as is used in other cases of Treason, Murder, Man-slaughter, or other Felonies: Any Law or Custome to the contrary thereof heretofore used in any wise

wise notwithstanding.

C A P. X X.

An Act for the punishment of the Vice of Buggery.

Eng: 25th:
8 cap 6.

FOrasmuch as there is not yet sufficient and condigne punishment appointed and limited by the due course of the Lawes of this Realm, for the detestable and abhominable vice of Buggery committed with Man kind, or Beast: It may therefore please the Kings Highnesse, with the assent of his Lords Spirituall and Temporall, and the Commons of this present Parliament assembled, that it may be enacted & be it enacted by the authority of the same, that the same offence be from henceforth adjudged Felonie, and such order & form of Processe therein to be used against the Offenders, as in cases of felony at the Common Law: And that the Offenders being hereof convicted by Verdict, Confession, or Outlawry, shall suffer such paines of death, and losses, and penalties of their Goods, Chattells, Debts, Lands, Tenements, and Hereditaments, as Felons be accustomed to doe, according to the order of the Common Lawes of this Realm: And that no person offending in any such offence shall be admitted to his Clergy. And that Justices of Peace shall have power and authority within the limits of their Commissions and Jurisdiction to inquire of the said offence, as they do use to doe, in cases of other Felonies.

C A P. X X I.

An Act for the refirayning of all persons from Marriage, untill their former Wives and former Husband be dead.

Eng: 25th:
8 cap 11.

FOrasmuch as divers evill-disposed persons, being married, runne out of other of his Majesties Realms or Dominions, into this Realm of Ireland, or out of one County into another within the said Realm of Ireland, or into places where they are not known, and there become to be married, having another Husband or wife living, to the great dishonour of God, & utter undoing of divers honest mens children, and others.

Be it therefore enacted by the Kings Majesty, with the consent of the Lords Spirituall and Temporall, and of the Commons in this present Parliament assembled, That if any person or persons being married, or which hereafter shall marry, doe at any time after the end of the Session of this present Parliament, marry any person or persons, the former Husband or wife being alive, That then every such offence shall be felony, and the person and persons so offending, shall suffer death as in case of felony. And the party and parties so offending, shall receive such and the like proceeding, tryall and execution in such County where such person or persons shall be apprehended, as if the offence had been committed wholly within this Realm, and in such County where such person or persons shall be apprehended.

Provided alwayes that this Act, nor any thing therein contained, shall extend to any person or persons, whose Husband or wife shall be continually remaining beyond the Seas by the space of seven years together, or whose Husband or wife shall absent him or her selfe the one from the other, by the space of seven years together, in any part within his Majesties Dominions, the one of them not knowing the other to be living within that time.

Provided also & be it enacted by the authority aforesaid, That this Act nor any thing herein contained, shall extend to any person or persons that are, or shall be, at the time of such Marriage divorced, by any Sentence, had, or hereafter to be had in the Ecclesiasticall Court, or to any person or persons where the former Marriage hath been, or hereafter

after shall be by sentence in the Ecclesiasticall Court declared to be voyd and of none effect: nor to any person or persons, for, or by reason of any former Marriage, had or made, or hereafter to be had or made, within age of consent.

Provided also, that no Attainder for this offence, made felonie by this Act, shall make or worke any corruption of Blood, losse of Dowry, or disinherison of Heire or Heires.

CAP. XXII

An Act against Usurie.

FOR the aboyding of excessive Usury heretofore commonly used in this Kingdom: Be it enacted by the Kings most excellent Majesty Eng: 8: 2: the Lords Spirituall and Temporall, and the Commons in this Par: cap: 17: present Parliament assembled, That no person or persons whatsoever from and after the first day of May next ensuing, upon any contract to be made after the said first day of May shall take directly or indirectly Eng: 8: 3: D: 8: cap: 17: for loane of any Moneyes, Wares, Merchandize, or other commodities whatsoever, above the value of Ten pounds for the forbearance of one Hundred pounds for a yeare and so after that rate for a greater or lesser summe, or for a longer or shorter time: And that all Bonds, Contracts and Assurances whatsoever, made after the time aforesaid, for payment of any principall, or money to be lent, or covenanted to be performed upon, or for any Usury, whereupon or whereby there shall be reserved or taken above the rate of Ten pounds in the Hundred, as aforesaid shall be utterly voyde. And that all and every person and persons whatsoever, which shall after the time aforesaid, upon any Contract to be made, take, accept and receive, by way or means of any corrupt Bargain, Loane, Exchange, Chevisance, Gift or Interest of any Wares, Merchandize, or other things whatsoever, by any deceitfull way or means, or by any cobin, engine, or deceitfull conveyance, for the forbearing or giving Day of Payment for one whole yeare, of, and for their Money, or other thing, above the summe of Ten pounds for the forbearing of one Hundred pounds for a yeare, and so after that Rate for a lesse or greater Summe, or for a longer or shorter time, shall forfeit and lose for every such Offence the treble value of the Moneyes, Wares, Merchandize, and other things so lent, bargained, sold, exchanged or shifted.

And be it further enacted by the authority aforesaid That all & every Scriveners & Scriveners, Broker & Brokers, Solicitor and Solicitors Driver and Drivers of Bargaines for Contracts, who shall after the said first day of May next ensuing, take or receive, directly or indirectly any Summe or Summes of Money, or other reward, or thing, for Brokage, Soliciting, Driving or procuring the loane, or forbearing of any Summe or Summes of Money over and above the rate or value of five shillings, for the loane or forbearing of an Hundred pounds for a yeare, and so rateably: Or above twelve pence for making or renewing of the Bond or Bill for the loane or forbearing thereof, or for any Counter-Bond or Bill concerning the same, shall forfeit for every such offence, twenty pounds, and have Imprisonment for halfe a yeare: The one Moiety of all which forfeitures to be to our Soberaigne Lord the Kings Majesty, his Heires and Successors: And the other Moiety to him or them that shall sue for the same, in the same County where the several offences are committed, and not elsewhere, by Action of Debt, Bill, Plaint, or Information: in which, no Cloyne, wager of Law, or protection to be allowed.

Provided

Provided, that no words in this Law contained, shall be construed or expounded to allow the practise of Usury in point of Religion or Conscience. Be it further enacted by the authority aforesaid that one Statute made in a Parliament holden at Westminster in the third yeare of the raigne of the late King Henry the seventh of famous memory, and all other Statutes concerning Usury, of force in this Kingdome before the making of this Act, are, and by vertue of this Act shall be from henceforth repealed, aboyded, and of none effect.

CAP. XXIII.

An Act to avoyde and prevent diverse misdemeanors in idle and lewd persons in Banking of Trees, &c.

Eng. R: 43
El cap: 7

FOrasmuch as unlawfull cutting and taking away of Corn and Graine growing, robbing of Orchards and Gardens, digging up, or taking away of fruite trees, breaking of Hedges, Dales, or other fences, cutting or spoiling of Woods or Underwoods standing and growing, Barking of growing Trees and such like Offences, are now more committed by lewd and meane persons, than in former times, and that the said Offences are great causes of the maintaining of idlenesse, and the persons which commit the same, are not for the most part able, nor have wherewith to make recompence or satisfaction.

Be it therefore enacted by the authority of this present Parliament, That all and every such lewd person and persons, which from and after the first day of May now next following, shall cut, or unlawfully take away any Corn or Grain growing, or rob any Orchards or Gardens, or breake or cut any Hedge, Dale, Railed or Fence; or digge, pull up, or take up any fruit tree or trees in any Orchard, Garden, or else, where, to the intent to take and carry the same away, or shall Barke any Tree or Trees that are growing, or shall cut or spoile any Woods or Under-Woods, Dales or Trees standing, not being felony by the laws of this Realm, and their procurer or procurers, receiver or receivers knowing the same, being thereof lawfully convicted by the confession of the party, or by the testimony of one sufficient witness upon oath, before some one Justice of Peace, Major, Bayliffe or other head Officer, which shall have power by force of this Statute to minister the said oath (where the offence shall be committed or the party offending apprehended) shall give the party and parties such recompence and satisfaction for his & their dammages, and within such time as by such one Justice of Peace of the said County, where such offence shall be done, without the liberty of any City or Towne Corporate, or by such head Officer or Justice of Peace within any City or Towne Corporate, shall be ordered and appointed. And if such Offendor or Offendors shall be thought in the discretion of the said Justice or Justices, or other head Officer, not able or sufficient, or doe not make recompence or satisfaction for the said dammages, in manner & form aforesaid, then the said Justice or head Officer, shall commit all and every the said offendor or offendors, to some Constable or Constables, or other inferiour officers of the City, Burrough, Town or Hamlet where the offence shall be committed, or the party apprehended, to be whipped, and for every such offence, for, or of which the offendor or offendors shall be erst-soonest convicted in form above limited, the person and persons so offending to receive the said punishment of whipping.

And be it enacted by the authority aforesaid, that if any Constable or inferiour officer do refuse, or do not at the commandement of any Justice of peace, or other head officer execute by himseife, or by some other



other to be by him appointed, upon the Offendoꝝ, the punishment limited by this Statute: That in that case it shall and may be lawfull for the said Justice of Peace, to commit the Constable or other inferiour officer so refusing, or not executing the said punishment by himselfe, or some other, to the common Goale of the said County, City, or Towne Corporate, there to remaine without baile or maineprie untill the said offendoꝝ or Offendours be by the said Constable or Constables so refusing, or not executing, or some other by his or their procurement, punished and whipped, as is abode limited and delivered.

Provided alwayes, that no Justice of Peace, or other head Officer doe execute this Statute, for any of the offences aforesaid done unto himselfe.

C A P. XXIV.

An Act for the better preservation of Fishing in the Counties of Dublin, Wicklow, Wexford, Waterford, Corke, Kerry, Clare, Gallway, Mayo, Sligo, and all other countys and places within the Realm of Ireland, and the Dominions thereof adjoyning to the Sea Coast, and for the reliefe of Balkors, Condors, and Fisher men, against malicious suites.

W Hereas the trade of Fishing for Herrings, Pilchards, and Sean-fish, within the Counties of Dublin, Wicklow, Wexford, Waterford, Corke, Kerrey, Clare, Gallway, Mayo, Sligo, and of other Counties and places within the said Realm of Ireland, and the Dominions thereof adjoyning to the Sea Coast, is, and of late time hath been very great and profitable, as well to divers of the Fishermen, as other his Majesties Subjects, within this Realm of Ireland, and the Dominions thereof. And whereas also for the necessary use of the taking of the said Herrings, Pilchards, and other Sean-fish, divers persons within the said Counties, called Balkors, Huors, Condors, Directors or Guidors at the fishing-time, for the said Herrings, Pilchards, and other Sean-fish within the Counties and places, time out of mind, have used to watch and attend upon the high Hills and grounds neare adjoyning to the Sea Coasts within the said Counties and places, for the discovery and giving notice to the Fishermen and Inhabitants near adjoyning, when the said Herrings, Pilchards, or Sean-fish come towards or near the Sea Coasts there, and for the guiding and directing of the Fishermen in their Boats upon the Sea Coasts for the taking of the said Herrings, Pilchards, & other Sean-fish. And whereas also now of late, divers persons having Lands, Tenements and Hereditaments near adjoyning to the Sea Coasts within the said Counties or other places, where the said fishing-places for the taking of the said Herrings, Pilchards and other Sean-fish are, have threatened to bring their Actions of Trespasse at the common Law, or other Suits, as well in the High Courts of Record at Dublin, as in inferiour Courts within the said Counties, not onely against such Balkors, Huors, Condors, Directors and Guidors, but also against such Fisher-men and other persons for breaking of their Close, as have attended their Seans or Nets, for the drawing and carrying of the said fish on Land or Shore. By reason whereof, such Watch-men, Balkors, Huors, Condors, Directors and Guidors, and such other persons as heretofore have attended the said Seans and fishings, have forborne to enter into or go upon the Lands, Tenements and Hereditaments, near adjoyning to such fishing places within the said Counties and places, for the watching or discovery of the said Herrings, Pilchards and, other Sean-fish, or to balk, hue, cond or direct, or to attend the Seans or Nets, as heretofore they have done and will likewise forbear the same hereafter if provision be not had and made, that they may lawfully enter into and

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upon

upon such Lands, Tenements and Hereditaments, as do lye near or adjoyning to the said Sea-coasts and places of fishing, as aforesaid, for their watching Balking, directing and attending of the Seans, as is aforesaid.

For remedy whereof, and for the maintenance of the said Trade of fishing, which doth so greatly tend to the profit of many of the Inhabitants within the said Counties, and others, be it therefore enacted and declared by our Soberaigne Lord the King, the Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, that it is, shall and may be lawfull at all times hereafter, to and for every such Watch-men, Balkors, Buors, Condoers, Directors and Guidors, and all such fisher-men and other persons as shall necessarily attend the said Seans or Pests, as aforesaid, at the times of fishing for Herrings, Pilchards, and other Sean-fish, within the said Counties and places where such fish shall be hereafter taken: to enter and goe into and upon any Lands, Tenements and Hereditaments which do lye or adjoyne near unto any such fishing-places, sit, convenient and necessary to watch and balke in, or to draw or carry the said fish on shoar, and there to watch for the said fish, and to balke, hue, conde, direct and guid the said fisher-men which shall be upon the said Sea and Sea-coasts, for the taking of the said fish, and to draw and carry the said fish, on land, or shoar: Any Law, ulage, or custome to the contrary in any wise notwithstanding,

And be it further enacted by the authority aforesaid, that if any action of Trespasse, or other suit, shall at any time hereafter happen to be attempted and brought against any person or persons, for entering or going on the lands, for watching of the said fish, or for balking, huing, conding, directing or guiding of the said fisher-men in their Boates upon Sea or Sea-coast, for taking of the said fish, or for landing of the said fish, as aforesaid, by authority of this present Act, the Defendant and Defendants in any such Action or suite, shall and may, plead not guilty, for any thing doing, by vertue of this Act, and upon the tryall of that Issue, the whole matter to be given on both parties in evidence according to the very truth of the same, and after such Issue tried for the Defendant or Defendants, or none-suite of the Plaintiffe or plaintiffs after appearance, the same Defendant or Defendants to recover his or their damages, by reason of his or their wrongfull veration in that behalf, with Costs also in that behalf sustained, and that to be assessed by the same Jury, that shall try the said Issue or else by Writ to enquire of damages, as the case shall require for which costs and damages, such Defendant shall and may by vertue of this Act, take and sue forth such Execution, as the Defendant in a Replevin may doe:

CAP. XXV.

An Act for the Impounding of Distresses.

FOR the abording of grievous verations, exactions, troubles, and disorder in taking of Distresses, and Impounding of Cattell: Be it enacted by Authority of this present Parliament, That from and after the first day of May next ensuing, no Distresse of Cattell shall be driven out of the Hundred or Barony, where such Distresse is or shall be taken, except it be to a Pound oder, within the said Shire, not above three miles distant from the place, where the said Distresse is taken: And that no Cattell, or other goods distreined or taken by way of Distresse for any manner of cause, at one time, shall be impounded in severall places, whereby the Owner, or Owners of such Distresse shall be constrained to sue severall Replevins for the Delivry of the said Distresse

distresse so taken at one time, upon paine every person offending contrary to this Act, shall forfeit to the party grieved for every such offence, an hundred shillings, and treble damages.

And be it further enacted by the Authority aforesaid, That after the said first day of May, no person or persons shall take for keeping in pound, Impounding, or Poundage of any manner of Distresse above the summe of foure pence Sterling for any whole Distresse that shall be so impounded. And where lesse hath ben used, there to take lesse, upon pain of five pounds to be payed to the party grieved, over and beside such monys as he shall take above the summe of foure pence: Any usage, or prescription to the contrary in any wise notwithstanding.

And for the more speedy Delibery of Cattell taken by way of Distresse, It is further enacted by the said authority, That every Sheriffe of Shires, being no Cities nor Townes made Shires, shall at his first County day or within two Moneths next after he hath received his Patent of his Office of Sherifwicke, depute, appoint, and proclaime in the Shire-towne within his Bayliff-wicke, foure Deputies at the least, dwelling not above twelve Miles the one distant from the other which said Deputies so appointed and proclaimed, and every of them, shall have Authority in the Sheriffes name, to make Replevins and Deliberance of such Distresses, in such manner and form as the Sheriffes may or ought to do, upon paine, that every Sheriffe, for every month that he shall lack such Deputy or Deputies, shall forfeit for every such offence five pounds, The one moyety of which forfeitures shall be to the Kings Highnesse, his Heires and Successors, The other halfe to him that will sue for the same, by Bill, Plaint, Information, or Action of Debt in any the Kings Courts of Record, in which, no esloyn, protection, nor wager of Law, shall be admitted.

C A P. XXVI.

An Act concerning the repaying and amending of Bridges, causeyes, and Toghers in the High-ways.

Eng: 8: 22,
8: cap:

BE it enacted by the King our soveraign Lord, and the Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, & by authority of the same, That as well the Justices of Assize in their severall Circuits, As also the Justices of Peace in every Shire of this Realm, Franchise, City or Borrough, shall have power and authority, to enquire, hear and determine publickly in the generall Assizes or Sessions of the peace respectively, of all manner of annoyances of Bridges, Causeyes, and Toghers, broken or decayed in the high wayes, to the damage of the Kings Liege people: And also of and concerning the new building, erecting and making of new Bridges, Causeyes, or Toghers, in other places fit and necessarie for the same and to make such procelle and peines upon every presentment afore them respectively, for the reformation of the same, against such as ought to be charged for the making or amending of such Bridges, Causeyes, and Toghers, as the Kings Justices of his Bench use commonly to doe, or as it shall seeme by their discretions to be necessary and convenient, for the speedy amendment, erecting and making of such Bridges, Causeyes, and Toghers, and every, or any of them. And where, in many parts of this Realm, it cannot be known and proved what County, Barony, City, Borrough, Towne or Parish, nor what person certaine, or Body politick, ought of right to make or repair such Bridges, Causeyes, or Toghers, by reason whereof such Bridges, Causeyes, and Toghers, for lack of knowledge of such as ought to make or repaire them, for the most part lye without making or repairing, to

the great annoyance of the Kings Subjects.

For the remedy thereof, Be it enacted by the authority aforesaid, That in every such case, the said Bridges, Causeyes, and Toghers, if they be without City or Town Corporate, shall be made by the Inhabitants of the Shire or Barony, within the which, the said Bridges, Causeyes and Toghers shall happen to be in decay, or thought fit to be newly erected or made. And if within any City, or Town Corporate, which is a county of it selfe, then by the Inhabitants of every such City or Town Corporate, wherein such Bridges Causeyes and Toghers shall happen to be in decay, or thought fit to be newly erected and made. And if within a Town Corporate which is no county, then by the County or Barony wherein such Bridges, causeyes, or Toghers, shall happen to be or thought fit to be newly erected. And if part of any such Bridges, Causeyes, or Toghers, or any of them, happen to be in one county, and the other part thereof in another county, that then in every such case, the Inhabitants of both the said counties, shall be charged and chargeable to amend, make and repair such part and portion of such Bridges, Causeyes, and Toghers, or any of them as shall lye and be within the Limits of the Shire wherein they be inhabiting and dwelling.

And be it further enacted that in every such case, the said Justices of Assize in their Circuits, and the said Justices of the Peace in the Quarter Sessions respectively, with the assent of the Grand-Jury, shall have power and authority to take and set every Inhabitant in any such County, Barony, City, Burrough, Towne or Parish, within the limits of their Commissions and authorities, to such reasonable ayde and summe of Money as they shall think by their discretions convenient and sufficient, for the new building, repayring, reedifying, and amendment of such Bridges, Causeyes and Toghers, and after such taxations made the said Justices of Assize, and Justices of Peace respectively, shall cause the names and sums of every particular person so by them taxed, to be writtten in a Role Indented, and shall also have power and authority to make two Collectors of every Barony, City, Borough, Town or Parish for collection of all such sums of money by them set and taxed, which Collectors receiving the one part of the said Role Indented, under the Seals of the said Justices, shall have power and authority to collect and receive all the particular summs of money therein contained, and to distraine every such Inhabitant, as shall be taxed and refuse payment thereof in his Lands, goods and chattels, and to sell such distresse, and of the sale thereof, retain and perceive all the money taxed, and the residue (if the distresse be better) to deliver to the Owner thereof: And that the same Justices of Assize, & Justices of the Peace respectively within the limits of their Commissions & authorities shall also have power and authority to name & appoynt two Surveyors which shall see every such Bridge, Causey & Togher builded repayred & amended from time to time, as often as need shall require, to whose hands the said Collectors shall pay the said sums of money taxed, and by them received: And that the Collectors and Surveyors, and the Executors and Administrators of them and every of them from time to time, shall at the publique Sessions of the Peace, make a true declaration and account to the Justices of Peace, of the Shire, City or Town corporate wherein they shall be appointed Collectors or Surveyors, of the Receipts, payments, and expences of the said sums of money. And if they or any of them, refuse that to doe, that then the Justices of the Peace
from

from time to time by their discretions, shall have power and authority to make procelle against the said Collectors and Surbeyors, and every of them, their Executors and Administrators, and the Executors and Administrators of every of them, by attachments under their Seals, returnable at the generall Sessions of the Peace: And if they appear, then to compell them to account, as is aforesaid, or else if they, or any of them refuse that to do, then to commit such of them as shall refuse, to ward, there to remain without baile or mainprise, till the said declaration and account be truly made.

And be it further enacted by the authority aforesaid, That the Justices of assize, and Justices of the peace, respectively, shall have full power and authority to allow such reasonable costs and charges to the said Surbeyors and Collectors, as by their discretions shall be thought convenient.

Statuta, Ordinationes, Actus & provisiones, in parlamento Prædicto apud castrum Dublin, prædicto die Lunæ, viz. vicelimo sexto die Januarij, anno regni dicti Domini Regis CAROLI Decimo, coram præfato deputato suo similiter tento, & ibidem continuato usque ad vicelimum primum diem Martij tunc proxime sequentis, & ibidem prorogato abinde usque ad vicelimum quartum diem Martij prædicti tunc proxime sequentis, ædita in hæc verba.

C A P. I.

An Act for maintenance and execution of pious uses.

FOR the advancement of Pious Intentions, and the better execution of Charitable Uses and Trusts, Be it enacted by the authority of this present Parliament, That all Arch-bishops and Bishops of this Kingdome, and their Successors for ever, shall and may from the time of any grant or estate to them, or any of them, and to their or any of their Successors, made or to be made, either by our late Sovereign Lord King James of happy memory, or by the King our Sovereign Lord that now is, or any of their Heires or Successors, or by any other person or persons, bodies Politique and Corporate whatsoever, of any Mannors, Lands, Tenements, Tiths, pensions, profits, or other Hereditaments, unto the use, or upon trust and confidence unto, or for the erection, maintenance or support of any Colledge, Schoole, Lecture in Divinity, or in any the Liberall Arts or Sciences, or for the releife or maintenance of any manner of poore, succourlesse, distressed, or impotent persons, or for the building, reedifying, or maintaining in repaire of any Church, Colledge, Schoole or Hospitall, or for the maintenance of any Minister & Preacher of the holy Word of God, or for the erection, building, maintenance or repaire of any Bridges, Causeways, Calthes, Paces and High-ways within this Realm, or for any other like lawfull and charitable use and uses, warranted by the Lawes of this Realm, now established and in force, * are and shall be taken and construed to be good and effectuell in Law, according to the purport and true intent and meaning thereof: And that they the said Arch-bishops and Bishops, and their Successors, and every of them shall and may be compelled by way of Sub-pena, in the High Court of Chancery, or by petition before the Lord Deputy, & Privy Councell of this Kingdom at the Councell Board, to execute and perform all and every the said Trusts and Uses, according to the true intent of the Charters, Deeds and Conveyances to them in that behalfe made, or hereafter to be made or of any other Deed or Writing, containing or directing the Uses and intents of such grants or conveyances respectively: Any law, custom or other matter or thing whatsoever to the contrary notwithstanding.

Saving to all and every person and persons, bodies politique and corporate,

corporate, their heires and successors, other than the said Donors or Grantors, their heires and successors, all such right, title, estate, interest, entry, and demaund, of, in, and to the said Mannors, Lands, Tenements and Hereditaments, as he or they, or any of them should or might have had and enjoyed, if this Act had never been had or made.

C A P. II.

An explanation of a Statute made in a Session of this present Parliament, intituled, an Act for confirmation of Letters Patents, hereafter to be passed upon his Majesties Commission of Grace, for the remedy of defective Titles.

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WHere some doubt, question or ambiguity hath arisen and grown or hereafter may arise or grow, concerning the validity of such compositions as have already bin made, or hereafter shall be made, or concerning the validity or true meaning of such Grants, and Letters Patents, as hereafter shall be made or passed upon his Majesties said Commission of Grace, now established or other Commissions to be established hereafter within this Realm of Ireland, for remedy of Defective Titles, for that in such Grants or Letters Patents, mention is to be made of his Majesties said Commission, or Commissions. And for that his Majesty (for the greater security and better settling of the estates of such of his loving Subjects as have already or hereafter shall take hold of his said Grace and favour) hath been pleased to renew the said Commission, and hereafter may be pleased for that, or any other cause, to renew the same again, and that by such later Commission or Commissions, or otherwise, the said former Commission or Commissions, and the said compositions thereupon grounded & made, may be conceived to be reboked, countermanded, & adnull-ed, or that such Commission or Commissions may prove defective, uncertain, or not to extend to give full power and authority unto the Commissioners thereby authorized or to be authorized to make such compositions or Grants, or to passe such Letters Patents, whereby the said Grants or Letters Patents in strictnesse of Law may likewise prove defective or Subject to question and dispute: And for that hereafter some doubts and questions may be invented, and raised against such Grants and Letters Patents, either for not inrolling or recording of the said Commission or Commissions, or the Letter or Letters whereupon the said Commission or Commissions are or shall be grounded or by reason that the said Commission or Commissions, or Letter or Letters may mis-cary or be lost, or for mis-naming, mis-recitall, or not naming or not recitall of such Castles, Honors, Mannors, Lands, Tenements, or Hereditaments, as in the said Letters Patents shall be granted or assured, or mentioned to be granted or assured, or any part thereof or for lack of finding of Offices or Inquisitions, or of good Offices or Inquisitions, whereby the Title of the Crown ought to have been found before the making of such Grants or Letters Patents, or for lack or omission of sufficient and speciall Non obstantes of particular Statutes, whereby the said Letters Patents or Grants may be impeached, or for mis-recitall or not recitall of Leases thereof or of some part thereof, made or mentioned to be made, as well of Record, as not of Record, or for lack of the certainty, mis-casting, rating or setting forth of the true yearly values and rates of such Castles, Honors, Mannors, Lands, Tenements or Hereditaments, or of some part thereof, or of the yearly Rents reserved, of and for the premisses or some part thereof mentioned, or contained in such Grants, or Letters Patents, or for apportioning, or dividing the said Rents, or the Tenures of any of the premisses, or for that the premisses or some part thereof shall

shall be valued at a greater or lesse value in such Grants or Letters Patents then the said Castles, Honours, Mannors, Lands, Tenements or Hereditaments, in truth are or shall be in yearly value, or for misnaming of the Towns, Villages, Hamlets, Places, Parishes, Baronies, Hundreds, Territories or Counties, where the same or any part thereof shall lye, or for lack of the true nameing of the natures, kinds, sorts, qualities, or quantities of such Castles, Honours, Mannors, Lands, Tenements and Hereditaments, or of any part thereof, or for lack of the true nameing of the Corporations, or such Bodies politique or corporate, as well Spirituall as Temporal, unto whom such Grants or Letters Patents shall be passed or mentioned to be passed, or for any other defect whatsoever.

*preamble
pointing at
the prejudice
that may
happen.*

For remedy whereof, and to the end that such of his Highnesse faithful and loving Subjects, as either already have, or hereafter shall make their compositions, may partake of his Majesties said grace offered unto them, and may receive the full benefit thereof according to his Majesties Royall and gracious intention and bounty, His Majesty is pleased that it be enacted and declared, And be it further enacted, declared and explained by the Kings most excellent Majesty, the Lords Spirituall and Temporal, and the Commons in this present Parliament assembled, and by authority of the same, That all such Grants and Letters Patents, and every of them hereafter to be passed unto any person or persons, bodies politique or corporate, as well Spirituall as Temporal, their Heires, Successors, Executors, Administrators, or Assignes, respectively, of any Castles, Honours, Mannors, Lands, Tenements or Hereditaments, as well Spirituall as Temporal, of what nature, sort or kinde soever, by vertue, colour or pretence of any such Commission or Commissions of Grace, for remedy of Describ'd Titles, so already issued, or hereafter to issue, and all and every clause, article, sentence, word, matter and thing in such Grants or Letters Patents to be contained, mentioned or specified, shall be by authority of this present Parliament enacted, declared, explained and adjudged to be good, sufficient and effectually in Law, (to all intents, constructions and purposes against his Majesty, his Heires and Successors, according to such estate or estates, and in such manner and form, as in the said Grants or Letters Patents shall be mentioned and expressed as if the said Grants or Letters Patents, and every of them were confirmed, made good and establish'd by the authority of this present Parliament, notwithstanding any of the defects, causes or matters afore-mentioned, or any other defect or cause whatsoever. And that all and singular such Grants and Letters Patents and every clause, article, sentence and word therein to be contained or specified, shall be alwayes taken, construed and expounded most liberally and beneficially, for the best advantage, benefit and avayle of such Patentes, their heires, successors, executors, administrators & assignes respectively, against his Highnesse, his Heires, and Successors for ever.

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And be it further enacted and declared by the authority aforesaid, That all such Grants and Letters Patents, and every of them: shall Inure, and shall be construed and expounded to Inure by way of Grant, confirmation, release, or other assurances from his Majesty his Heires and Successors, of all his title, right, interest, estate, possession, remainder and reversion, of and in all and singular such Castles, Honours, Mannors, Lands Tenements and Hereditaments, as in such Letters Patents shall be granted, confirmed, released, or assured, or mentioned

mentioned to be granted, confirmed, released, or assured unto such Patentees, their heires, successors, executors, administrators and assignes, respectively, according to such estate or estates & in such manner & form, as thereby or therein shall be mentioned to be passed, as shall be most behoofesfull and beneficiall for the said Patentees, their heires, successors, executors, administrators and assignes, and every of them, respectively; and that the said Patentees, their heires, successors, executors, administrators and assignes, and every of them shall and may, have, hold, possesse and enjoy all and singular such Castles, Honours, Mannors, Lands, Tenements and Hereditaments, in or by such Letters Patents granted, or assured, or mentioned to be granted or assured, as aforesaid, against his Majesty, his Heires and Successors for ever.

A clause to exonerate the patentee of all other rents then such as are reserved in the patent & to be paid on the said Commission and that without plea or other fees then the charges of order of discharge.

And be it further enacted and declared by the authority aforesaid, That upon shewing of a clause of exoneration, to be contained, or mentioned in such Grants or Letters patents, or the inrollment thereof to be passed upon such Commission or Commissions for remedy of defective Titles, as aforesaid in his Majesties Court of Exchequer, the said patentees their heires, successors, executors, administrators, & assignes and every of them, shall be freely acquitted, cleared, exonerated and discharged for ever, against his Majesty, his Heires and Successors, of and from all former rents, reservations, services, covenants, conditions, limitations, duties and demands whatsoever, out of any such Castles, Honours, Mannors, Lands, Tenements and Hereditaments, other than such fines, rents, reservations, services, covenants, conditions, limitations, duties, and demands, as in, or by such Letters Patents so to be passed upon the said Commission or Commissions of Defective titles shall be reserved, limited, mentioned & expressed. And that all other former rents, reservations, services, covenants, conditions, limitations, duties and demands, reserved upon, or out of any such Castles, Honours, Lands, Tenements, or hereditaments, or which are limited, or mentioned in, or by any other Letters Patents, shall be extinguished, and by order of the said Court of Exchequer, shall be put out of charge as to such Patentees, their heires, successors, executors, administrators and assignes, respectively, without any plea, suite, or other charge, other than the ordinary fees for procuring of such order or discharge.

And be it further enacted and declared by authority aforesaid, That as well this present Act of explanation, as also the said former Act, intituled, An Act for confirmation of Letters patents, hereafter to be passed upon his Majesties Commission of Grace, for the remedy of Defective Titles, And every clause, article, sentence and word in them, & every of them, contained or expressed, shall be expounded & construed most stronly against his Majesty, his Heires and Successors, and most liberally and beneficially, to all intents and purposes, for the best advantage, benefit and availe of such Grantees, or patentees, their heires, successors, executors, administrators, or assignes, respectively, as shall passe any Letters patents upon such Commission or Commissions for remedy of Defective Titles.

CAP. III.

An Act for securing of the Estates of the Under-takers, Servitors, Natives, and others holding Lands, Tenements, or Hereditaments, in all and every the Plantations, made by our late Sovereign Lady Queen Elizabeth, or by our late most gracious Lord King James, or the Kings most excellent Majesty that now is, in the severall Counties of Waterford, Corke, Limericke, Kerry, Tipperary, Wexford, Wicklow, Kings County, Queens County, Westmeath, Leitrim, Longford, Tyrone, Armagh, Donegall, Fermanagh, Cavan, and Londonderry.

In most humble manner beseecheth your most excellent Majesty, your most loving and faithfull Subjects, the Lords Spirituall and Temporall, and the commons in this present Parliament assembled: That whereas for the better Governement and security of this your Kingdom of Ireland, sundry plantations have at severall times been made in the severall Counties of Waterford, Corke, Limericke, Kerry, Tipperary, Wexford, Wickeloe, Kings County, Queens County, Westmeath, Leitrim, Longford, Tyrone, Armagh, Donegall, Fermanagh, Cavan, and Londonderry, grounded as well upon ancient as recent Title of your Crown, declared as well by Inquisitions, as other Records and Evidences. Upon all which divers Patents have been passed, and thereby very many Under-takers, and others of Brittainish Birth, and very many of the Natives of best quality and condition, have been there Planted and settled, and severall Lands, Tenements, and Hereditaments granted and disposed to Corporations, Ports, Incumbents of Churches, Schooles and other good uses, some other Parcells of the said Lands being onely distributed and assigned and not passed, by reason of Restraints for some years past: By occasion of all which very many Castles, Bawnes, strong Houses, Forts and Townes walled, have since been built and erected, and innumerable inclosures and improvements made, and also severall Tradesmen of Brittainish birth, and manufactures, have been thither brought and conducted by the Under-takers, Servitors, Natives, and others to their very great charge and expence, willingly performed to the terror and discouragement of all evill disposed persons, to the unexpected enriching and civilizing of the said severall Counties and Territories and to the great joy and contentment of your Royall Majesty, and all good Men, Insomuch as by the great blessing of Almighty God upon your Majesties most gracious and successfull Government, those Places and Countries which heretofore have been onely disturbance to all your Majesties loving Subjects of Ireland, and burthen, losse, dishonour, and expence of the Crown of England, have now been enabled to yield and afford to your most excellent Majesty, as ample and beneficiall an ayde and supply to all Levies, and to the now granted Subsidies, as any other proportionable parts of this Kingdom have done, & for the future, (by the blessing of God, and your Majesties most gracious protection and Favours) do little doubt, but to increase in the further accomplishment thereof. And whereas it hath pleased your most excellent Majesty, by your principall Officers and Ministers here, to make known that for the better encouragement of your said Subjects, to proceede cherefully in their intended course of planting and civilizing the said severall planted Countries, and settling a good and happy Commonwealth amongst them, your Majesty would be graciously pleased to grant unto your said Subjects, that their Estates intended unto them in the said Plantations, should by all convenient meanes be secured, and to the end also, that all questions and doubts, raised, or to be raised for or concerning your Majesties Title, or any other Title, to all or any the said Lands, Tenements, or Hereditaments, may be taken away.

May it therefore please your most excellent Majesty: That it may be enacted, and Be it enacted by your most Royall Majesty, the Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, and by authority of the same, That your Majesty, your Heires and Successors, shall be rightly, and by good lawfull and indefeasible title and estate in Fee simple, demed and adjudged to be in the actuall and reall possession and seizin, in right of your Imperiall Crown of England and Ireland, of all the Castles, Mannors, Lands,

Tenements and Hereditaments, lying and being in the said severall Countie of Tyrone, Armagh, Donegall, Fermanagh, Caban, Londonderry, Leytrim, and Longford, and of, and in the severall Territories Precincts and Countries, commonly known or called by the name or names of *Ely o Carroll*, alias, *O Carrolls Country*, *Fercall*, alias *O Hollopes Country*; *Kilcoursey*, alias *For his Country*; *Delvin-Mac Coghlan*, alias *Mac Coghlands Country* in the Kings County, *Upper-Ossoy*, alias *Mac Gilpatrick's Country*; and *Iregan*, alias *O Doyne's Country* in the Queens County, the *Murrowes*, *Kilbucke*, *Clanbenricke*, *Farrenhammon*, *Killekeerle*, alias *Mac Vadocks Country*, *Killecooleneline* alias *Cooleveleine*, alias *Mac Morris's Country*, *Kinshelaghes*, *Mac Damors Country*, and *Brackenagh* in the County of *Waterford*, and *Ranelagh*, alias *Cooleranell* in the County of *Wicklow*: And also of and in the severall Townes or Villages, Lands, Tenements, and Hereditaments, known, esteemed, or usually called *Plantation Lands*, in or neere the Territory or Country of *Clincol-man* alias *O melaghlins Country*, in the county of *Westmeath*: And in or neere the Territory or county of *Ranelagh*, alias *Coole Ranel* in the county of *Wicklow*, and in or neere the Territory or country of *Farren O Peale*, in or neere the county of *Waterford*. And also of and in all the castles, manors, Lands, Tenements and Hereditaments in the severall counties of *Waterford*, *Corke*, *Limerick*, *Kerry* and *Tipperary* aforesaid, usually called *Plantation Land*, or heretofore passed, or mentioned to be passed, by Letters Patents to any Brittish Under-taker or Under-takers, respectively, as *Plantation lands*, at such time or times, whensoever any of the forementioned castles, Mannors, Lands, Tenements or hereditaments, shall be within the space of five years, next ensuing the end of this present Session of Parliament, new passed, granted, or confirmed to any person or persons, bodies politique, or corporate, respectively, by Letters patents under the greate Seale of this Kingdom, by warrant of the Lord Deputy for the time being, and Commissioners nominated or to be nominated, in or by his Majesties Commission of Grace, for the remedy of Defective Titles, now in being, or hereafter to be, being former patentees or proprietors, or reputed patentees, or reputed proprietors, or such as by former distribution, assignation, or appointment, have taken the profits thereof, their Heirs or Assignes, respectively, and that from and after the new passing or sealing of any such Letters patents, either to any person or persons, bodies politique or corporate, formerly reputed Grantees, or reputed proprietors, or such as by distribution, assignation or appointment, have taken the profit thereof, their Heires, Successors or assignes, respectively, of any of the said Castles, Mannors, Lands, Tenements or Hereditaments, all and every such new Grantee or Grantees, or reputed Grantee or Grantees, their heires, Successors or Assignes, respectively, shall and may for ever henceforth, have, hold, possesse and enjoy all and singular the castles, Mannors, lands, Tenements, and Hereditaments, in the said severall counties, Territories, countreys, and Towns which shall be granted, or mentioned to be granted, or confirmed as aforesaid, for such and the same estates, as shall be limited, mentioned or declared, respectively in any the said Letters Patents or Grants to be made, as aforesaid, aswell against your most excellent Majestie, your Heires and Successors, as against all and every other person and persons whatsoever, ha being, clayming, or pretending to have any right title, intrest, rent, service or demand, of, in or to all, or any the said castles, Mannors, Lands, Tenements, or Hereditaments, to them or any

any of them, as aforesaid, to be passed, granted, or confirmed, or mentioned to be passed, granted or confirmed, as aforesaid, freed and discharged of and from all former Rents, Arreages, Profits, or maner rates against your Majestie, your Heires and Successors.

Provided nevertheless, and be it enacted by authority aforesaid, that this Act, or any thing therein contained, shall not in any wise barre or prejudice the right or title of any Arch-bishop, Bishop, Dean, Chapter, Arch-Deacon, Dignitary, Prebendary, Parson, Vicar, or other Spirituall or Ecclesiasticall person, to any Manors, Lands, Tenements or hereditaments, being the Inheritance and Possession of their respective Churches, or Benefices.

CAP. IV.

An Act for the Naturalization of all the Scottish Nation, which were *Ante-Nati*, born before his late Majestie, King JAMES of ever blessed memorie his happy accessse unto the Crown of England, and Ireland; &c.

FOrasmuch as your Highness loving Subjects of these your Highnesss Realms of England, Scotland, and Ireland, are now growing into one Nation, without all mark of difference or distinction: And therefore are desirous for to enjoy the same freedoms and benefits of the same your Highnesss Laws and Statutes of this Realm: And for that all such of the Scottish Nation as are *Ante-nati*, and born before his said late Majestie King James his happy attaining the Crown of England and Ireland, as aforesaid, are therefore in judgment and reputation of the Common Law of this Realm, disabled and incapable either to acquire and make purchase unto the use of themselves, their Heirs, Executors, Administrators and Assignes, of any Lands, Tenements and Hereditaments, or other reall estate whatsoever, in Leases for years, or otherwise, within this your Highnesss Realm of Ireland, or to retain and keep what they have already acquired and purchased, by which means, the Issues and Posterities, Wives, Allies and Children of such person and persons, your Highnesss loyall Subjects, are thus many times left unprovided for, and the Patrimonies and Estates of their Ancestors, by Law given from them, and by this means, many of your loving and loyall Subjects of Scotland, planted within this your Highnesss said Realm of Ireland, are left to great want and penury, It being also a great discouragement and disheartning, unto many of your said Subjects of Scotland, that otherwise would have planted themselves here, for the further civilizing, strengthening, and securing this your highnesss said Realm, against Rebels at home, and all Foreign Invasion.

May it therefore please your most Excellent Majestie, that it may be enacted by your Most Excellent Majestie, and the Lords Spirituall and Tempozall, and Commons in this present Parliament Assembled. And be it enacted by the Kings Most Excellent Majestie, the Lords Spirituall and Tempozall, and by the Commons in this present Parliament assembled, and by the Authority of the same, That all and every Scottish Undertaker and Undertakers whatsoever, in the Province of Ulster, and other place and places of this Kingdom, and every Scottish-man, or Scottish-woman, Scottish-men or Scottish-women whatsoever, which were and have been born, at any time or times whatsoever, before his said late Majestie King James his happy Accession to the Crown of England and Ireland: and all and whatsoever other person or persons of the Scottish Bloud and Nation hereafter, whensoever and wheresoever, to be born, within any your Highnesss said Realms and Dominions, of whatsoever State, Degree, Quality

or Condition they be, or shall be of, and the Heires, Issues and Posterities of them, and of all and every of them, as well begotten, as to be begotten: Be by Authoritie of this present Parliament, deemed, adjudged and reputed your Majesties Liege, free and Natural Subjects of this your Highnesse Realm of Ireland, and be adjudged, reputed and taken in every respect, condition and degree, to all intents, constructions and purposes, your Majesties Naturall & Liege Subjects of this Realm of Ireland, as if they and every of them had been, or were born within this Realm of Ireland, of English, or Irish Parents, your Majesties free-born Natural Subjects of this Realm of Ireland. And that they and every of them, in all things, and by all lawfull waies and means, whatsoever, shall and may, use, have and enjoy, the full grace and benefit of all and every the Lawes, Preeminences, Jurisdiccions, and Customes of this Realm whatsoever, to all intents, constructions and purposes in the Law, or otherwise whatsoever, in the same manner and form, as any English-man, or English-men whatsoever, within this Realm of Ireland, hath or may, or can have use and enjoy, and be adjudged, reputed and taken in every respect, condition and degree, and to all intents, constructions and purposes whatsoever, your Majesties Naturall and Liege Subjects of this Realm of Ireland: & that they & every of them, shall answer, & shall be answered unto, & shall and may implead, & be impleaded, in whatsoever Court or Courts of Justice, and other-where, within this your Highnesse said Realm of Ireland, as the Naturall born, free Liege Subjects, of this Realm of Ireland: and that they and every of them, by force of this present Act of Parliament, shall have full licence, freedom, liberty, power and authority, as well to have, occupy, possesse and enjoy, retain and keep, as to aske, demand, challenge and have, and also to acquire, buy and purchase, or receive by gift, or other waies by any other lawfull waies or means, to the use of them, and of all and every, or any of them, their Heires, Executors, Administrators, and Assignes and the Heires, Executors, administrators, and Assignes of all and every, or any of them for ever, all, any and whatsoever, Mannors, Messuages, Lands, Tenements, Rents, Services, Offices, Hereditaments and other Possessions, Goods and Chattles, reals or personals whatsoever, as well by any of their Ancestors and Predecessors, at any time or times heretofore, since the beginning of the happy Raigne of our late dread Sovereigne Lord King James of ever blessed and happy Memory, acquired and purchased, or to them, or any of them, by Letters Patents, or otherwise made, granted, enfeoffed, conveyed, or assured, or which at any time or times hereafter, shall and may be made, granted, enfeoffed, given, conveyed or assured, or shall come, as Heire or Heires to their, or any of their Ancestors, lineally or collaterally, by reason of any descent, remainder, reversion, right, or any other Title gift or Conveyance whatsoever, or which after the first day of this present Parliament, shall descend, remain, revert, accrete, come, or grow unto your said Subjects, or any of them and in the same to inherit, succeed and come, by right of Inheritance, and otherwise howsoever, without the lett and impediment of your most excellent Majesty, your Heires and successors, or of your Highnesse Officers and Ministers whatsoever: Any Law, Custom, Statute, Act, Provision, Ordination, Restraint, or Inhibition, to the contrary, before this time made, enacted, ordained, or provided, or any other matter, cause or thing whatsoever notwithstanding.

And also to prosecute, pursue, maintain, avow, Justifie and defend
all

all and all manner of Actions, Suits and Causes, and all other lawfull things whatsoever, to do as lawfully, frankly, fully, liberally, surely, and freely, as if your said Subjects had been, and were born within this Realm of Ireland, and as any other person or persons, naturally born within this Realm of Ireland, may lawfully, or in any wise do: Any Act, Law, Statute, Custom, Ordinance or other thing whatsoever, had, made, done, promulged, or provided to the contrary hereof, in any wise notwithstanding.

Provided alwayes, That this Act, nor any thing therein contained shall not extend to avoid any Estate or Interest, of and into any Mannors, Lands, Tenements, or Hereditaments whatsoever, which have already been found and accreted unto his most excellent Majesty that now is, or unto his late Majesty King James of ever famous and blessed Memory, for want of the Denization, or Naturalization of any such person or persons, and which shall and doth appear by Office already found and returned, and remaining of Record, or by any other matter of Record.

C A P. V.

An Act for Confirmation of Leases, made by the Lord Primate, and other Bishops in Ulster.

Whereas since his late Majesty King James of ever blessed memory, his Endowment of the Arch-Bishoprick of Armagh and the Bishopricks of Derry, Clogher, Raphoe, and Killmore, with Lands, Tithes, and other Hereditaments, some questions may arise concerning the validity of Leases, made by the said Arch-Bishop and Bishops, and of the validity of the Arch-Bishop and Bishops Letters Patents from his said Majesty.

For the clearing of all doubts, and securing the said Arch-Bishop and Bishops Grants so passed unto them, and of the Farmers of the said Lands, and that the said Bishops and Farmers may be encouraged to build and plant the same, according to his said Majesties pious intention: Be it enacted by the Kings Majestie, the Lords Spiritual and Temporall, and Commons in this present Parliament assembled, That whatsoever gifts or grants, of any Lands, Tenements, Tithes, Pensions, Portions, or Hereditaments, which were either found by the great Office, taken in the year of our Lord God one thousand six hundred and nine, to have belonged to any Herenaghies, and Corthes, or were by any other Title, devolved and come unto the Imperiall Crown of this Realm, and are by any Letters Patents, given or granted to the said Arch-bishop or Bishops, and to their severall Successors, respectively, shall be for ever from henceforth esteemed good and effectually in Law, as well against the said Herenaghies and Corthes, and their pretended Heires and Successors, as against the Kings Majesty, his Heires and Successors: And that whatsoever Lease or Leases, or confirmation of Leases, shall within five years next coming after the first day of this present Parliament, be severally and respectively made by the most Reverend Father in God, James Lord Arch-bishop of Armagh, Primate of all Ireland, or by the Right Reverend Fathers in God, James Lord Bishop of Clogher, John Lord Bishop of Raphoe, William Lord Bishop of Killmore, John Lord Bishop of Derry, or any of them, or by any of their respective Successors, with the consent and approbation of the Lord Deputy, or other chief Governour or Governors of this Kingdom for the time being, and six of the Council of State here, for the time being, of any Lands, Tithes, or Hereditaments belonging to their said severall and respective Arch-bishopricke and Bishop-

Bishopricks (so as the present or greater rent be reserved) for any Term, not exceeding threescore yeares, from the first day of this present Parliament, shall be good and effectuell in the Law to all purposes, against the Kings Majestty, his Heires and Successors, and against such Herenaghes and Corbes, and their pretended Heirs and Successors, and against the said Arch-bishop and Bishops, and their Successors, severally and respectivelv: notwithstanding the want of confirmation by a Legall Dean and Chapter, or any other defect: Saving to all others than to the Kings Majestty, his Heires and Successors, and the said Herenaghes and Corbes, and their Heires and Successors, and the said Arch-bishops and Bishops, and their Successors, respectivelv, all such right and Title as they have, or may have, if this Act had not been made.

CAP. VI.

An Act, that Lessees shall enjoy their Farms, against Tenants in Taile, or in right of their Wives, &c.

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VV Here a great number of the Kings Subjects have heretofore taken Leases of Lands, Tenements, and other Hereditaments for Term of years, and divers of them for Term of lives, and have given and paid great Fines, and great sums for the same, and also have been at great costs and charges, as well in and about great Reparations and Buildings upon their said Farms, as otherwise, concerning their said Farms: yet notwithstanding the said Farmers after the deaths of their Lessors, have been, and be daily with great cruelty, expelled and put out of their said Farms and Takings, by the Heires of their said Lessors, or by such persons as have Interest therein, after the deaths of their said Lessors by reason of privy gifts of Entaile, or Feoffments, or other Conveyances of Record, or otherwayes to uses, or for that the Lessors had nothing in the Lands, Tenements or other Hereditaments so letten, at the time of the Leases thereof made, but onely in the right of their Wives, or such other like cause, to the great impoverishment, and in a manner utter undoing of the said Farmers.

For Reformation whereof, Be it ordained, established, and enacted by the King our Sovereign Lord, the lords Spirituall and Temporall and Commons in this present Parliament assembled, and by the Authority of the same, That all leases hereafter to be made of any Mannors, lands, Tenements, or other Hereditaments, by Writing indented under Seal, for Term of years, or for Term of life, by any person or persons, being of full age of one and twenty years, having any Estate of Inheritance, either in fee Simple, or in fee Tayle, in use or possession in their own Right, or in the Right of their Wives, or jointly with their Wives, of any Estate of Inheritance, made before the Coverture, or after shall be good and effectuell in the Law against the lessors, their Wives & heires & every of them, according to such Estate as is comprised & specified in every such Indenture of lease, in like manner and form, as the same should have been, if the lessors thereof and every of them, at the time of the making of such leases, had been lawfully seized of the same lands, Tenements, and Hereditaments, comprised in such Indentures, of a good, perfect, and pure Estate, of fee Simple thereof, to their own onely uses.

Provided alway, that this Act, nor any thing therein contained shall not extend to any leases to be made of any Lands Tenements or Hereditaments, being in the hands of any Farmer or Farmers, by virtue of any old lease, unlesse the same old lease be expired surrendered or ended within

within one year next after the making of the said new lease, nor shall extend to any grant to be made, of any reversion of any Mannors, Lands, Tenements or Hereditaments, nor to any lease of any Mannors, Lands, Tenements, or Hereditaments, which have not most commonly been letten to farm, or occupied by the Farmours thereof by the space of twenty years next before such lease thereof made, nor to any lease to be made without impeachment of waste: nor to any lease to be made, above the number of one and forty years, or three lives at the most, from the day of the making thereof: And that upon every such lease, there be reserved yearly during the same lease, due and payable to the lessors, and their Heires, to whom the same Lands should have come after the deaths of the lessors, if no such lease had been thereof made, and to whom the reversion thereof shall appertain, according to their estates and interests, so much yearly Farm^{the lease of} or Rent, or more, as hath been most accustomedly yielded or paid for^{tenant in} the Mannors, Lands Tenements or Hereditaments, so to be letten^{tail} within twenty years next before such lease thereof made. And that every such person and persons, to whom the reversion of such Mannors, Lands, Tenements, or Hereditaments, so to be letten, shall appertain as is aforesaid, after the death of such lessors or their Heires, shall and may have such like remedy and advantage, to all intents and purposes, against the lessees thereof, their Executors, and Assignes, as^{if rent refer-} the same lessor should or might have had against the same lessees: So^{bed not bove} that if the lessor were seized of any especial Estate, Tayle, in Use or Possession of the same Hereditaments, at the time of such lease, that the Issue or Heire of that speciall Estate, shall have the Reversion, Rents and Services reserved upon such lease, after the death of the said lessor, as the lessor himselfe, might, or ought to have had, if he had lived.

Provided alway, That the Wife be made party to every such lease, which hereafter shall be made by her Husband, of any Mannors, Lands Tenements, or Hereditaments, being the Inheritance of the Wife: and that every such lease be made by Indenture, in the name of the Husband and his Wife, and theee to seal the same: And that the Farm^{able by the} or Rent be reserved to the Husband, & to the Wife, and to the Heires of the Wife, according to the Estate of Inheritance in the same, and that the husband shall not in any wise alien, discharge, grant, or give away the same Rent reserved, nor any part thereof, longer than during Coverture, without it be by Fine levied by the said Husband and Wife: But that the same rent shall remain, descend, revert or come after the death of such Husband, unto such person or persons, and their Heires, in such manner and sort, as the Lands so leased, should have done, if no such lease had thereof been made.

And moreover for certain considerations, Be it enacted by the authority aforesaid. That no Fine, feoffment, or other Act or Acts, hereafter to be made, suffered or done, by the Husband onely, of any Mannors, lands, Tenements or Hereditaments, being the Inheritance or free-hold of his Wife, during the Coverture between them, shall in any wise be or make any discontinuance thereof, or be prejudicial or hurtfull to the said Wife or to her Heires, or to such as shall have right, title or interest to the same, by the death of such Wife, or Wives: But that the same Wife, or her Heires, and such other, to whom such right shall appertain after her decease, shall and may then lawfully enter into all such Mannors, lands, Tenements and Hereditaments, according to their rights and titles therein, any such fine, feoffment or other Act to the

the contrary notwithstanding: fines levied by the Husband and Wife, (whereunto the said Wife is party and privie) onely excepted.

Prohibited furthermore, that this Clause or Act, extend not to give any liberty to any such Wife, or to her Heires, for to avoide any lease hereafter to be made, of any Inheritance of the Wife by her Husband and her, for term of one and forty years, or under: or of any her inheritance for term of three lives at the uttermost, whereupon as much yearly Rent, or more, is or shall be reserved, and yearly payable, during the same lease, as was at any time theretofore yielded, and payed, within twenty yeares next before the making of any such lease, according to the Tenor of this present Act: Any thing therein contained to the contrary notwithstanding.

CAP. VII.

An Act for Contentation of Debts upon Execution.

Engl: 32.
8: cap: 5.

Whereas before this time, divers and sundry persons have sued Executions aswell upon Judgements, for them given of their Debts or Damages, as upon such Statutes Merchants, Statutes of the Staple, or Recognizances, as have been to them before made, recognized and knowledged, and thereupon such Lands, Tenements, and other Hereditaments, as were lyable to the same Execution, have been by reasonable extent, to them delivered in Execution, for the satisfaction of their said Debts and Damages according to the Laws of this Realm: Neverthelesse it hath been oftentimes seen, that such Lands Tenements and Hereditaments, so delivered and had in Execution, have ben recovered, or lawfully devested, taken away, or evicted from the possession of the said Recoverers, Obligees, or Recognizees, their Executors, or Assignes, before such time as they have been fully satisfied and paid of their debts and damages, without any manner fraud, deceit, covin, collusion, or other default in the said Recoverers, Obligees, or Recognizees, their Executors and Assignes, by reason whereof the said Recoverers, Obligees, and Recognizees, have been thereby let clearly without remedy, by any manner suite of the Law, to recover, or come by any such part or parcel of their said debt & damages as was behind and not by them levied or received, before such time as the said Lands, Tenements, and other Hereditaments, so by them had in execution, were recovered, lawfully devested, taken, or evicted out of, and from their Possessions, as is aforesaid, to their great hurt and losse, and much seeming to be against equall Justice, and good Conscience.

For Reformation whereof, be it enacted by the authority of this present Parliament, that if hereafter any such lands, Tenements or Hereditaments, as be, or shall be had and delivered to any person or persons in execution, as is aforesaid, upon any just and lawfull title, matter, condition, or cause wherewithall the said Lands Tenements and hereditaments were lyable tied, and bound at such time as they were delivered and taken into execution, shall hapen to be recovered, lawfully devested, taken or evicted out of, and from the possession of any such person and persons as now have and hold, or hereafter shall have and hold the same in execution as is aforesaid, without any fraud, deceit, covin, collusion, or other default of the said Tenant or Tenants by execution, before such time as the said Tenants by Execution, their Executors or Assignes, shall have fully and wholly levied or received the said whole debt and damages, for the which the said Lands, Tenements, and other Hereditaments, were delivered and taken in Execution, as is aforesaid: Then every such Recoverer, Obligee, and Recognizee, shall and may, have and pursue, a Writ of scire facias, out of the same Court, from

from whence the said former writ of Execution did proceed, against such person or persons, as the said writ of Execution was first pursued, their Heires, Executors or Assignes, of such Lands, Tenements, or Hereditaments, as were or be, then lyable or charged to the said Execution, returnable into the same Court at a certaine day, being full forty dayes, after the date of the said writ. At which day, if the Defendant, being lawfully warned, make default, or appeare, and doe not shew and pleade a sufficient matter or cause, other then the acceptance of the said Lands, Tenements, and Hereditaments, by the said former writ of execution, to barre, avoide, or discharge the said suit, for the residue of the said debt and damages, remaining unlevied or unreceivied by the former Execution: Then the Lord Chancellor, or other such Justice or Justices, before whom such writ of scire facias shall be returnable, shall make eft-soons a new writ or writsout of the said former Record of Judgement, Statute Merchant Statute Staple, or Recognizance of like nature and effect, as the said former writ of Execution was, for the levying of the residue of all such debt and damage, as then shall appeare to be unlevied, unsatisfied, or unpaid of the whole summe or summs in the said former writ of Execution contained: Any law, custome, or other thing to the contrary hereof, heretofore used in any wise notwithstanding.

CAP. VIII.

An Act for to avoyd unnecessary delayes of Execution.

FOrasmuch as his Highnesse Subjects, are now more commonly Eng: ff: 3.
with holden from their just debts and often in danger to loose the Ja: cap: 8.
same, by means of writs of Error, which are more commonly sued, then heretofore they have been: Be it therefore enacted by the authority of this present Parliament, That from, or after the end of this present Session of Parliament, no Execution shall be staied or delaid, upon, or by any writ of Error or super-sedeas thereupon to be sued, for the reverting of any Judgement given, or to be given in any Action or Bill of debt, upon any single Bond for debt, or upon any Obligation with Condition, for the payment of Money onely, or upon any Action or Bill of debt for Rent, or upon any Contract, sued in any of his Highnesse foure Courts of Record, viz. Chancery, Kings Bench, Common-Pleas, and Exchequer, unlesse such person or persons, in whose name or names such writ of Error shall be brought, with two sufficient sureties, such as the Court wherein such Judgement is, or shall be given, shall allow of, shall first before such stay made, or super-sedeas, to be awarded, be bound unto the party for whome any such Judgement is, or shall be given by Recognizance, to be acknowledged in the same Court, in double the summe adjudged, to be recovered by the said former judgement, to prosecute the said writ of Error with effect, and also to satisfie and pay (if the said Judgement be affirmed) all and singular the debts, damages, and costs, adjudged or to be adjudged upon the former Judgement, and all costs and damages to be also awarded for the same delaying of Execution.

CAP. IX.

An Act for reliefe of Creditors, against such persons as dye in Execution.

FOrasmuch as heretofore it hath been much doubted and questioned Eng: ff: 21
if any person being in Prison, and charged in Execution by Ja: cap: 24.
reason of any Judgement given against him, should afterwards happen to dye in Execution, whether the party, at whose suit, or to whom such person stood charged in Execution, at the time of his death, be for ever after concluded and barred to have Execution of the Lands

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and goods of such person so dying.

And forasmuch as dayly experience doth manifest, That divers persons of sufficiency, in reall and personall estate, minding to deceive others of their just debt, for which they stood charged in Execution, have obstinately and wilfully chosen rather to live and die in Prison, than to make any satisfaction according to their abilities: To prevent which deceit, and for the avoyding of such doubts and questions hereafter: Be it declared, explained and enacted by the Kings most excellent Majesty, the Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, and by the authority of the same, That from and after the end of this present Session of Parliament, the party or parties, at whose suite, or to whom any person shall stand charged in Execution, for any debt or damage recovered, his or their Executors, or Administrators, may after the death of the said person so charged and dying in Execution, lawfully sue forth and have new Execution against the Lands and Tenements, Goods and Chattels, or any of them, of the person so deceased, in such manner and form, to all intents and purposes, as he, or they or any of them might have had by the Lawes and Statutes of this Realm, if such person so deceased, had never been taken or charged in Execution.

Provided alwayes, and be it declared and enacted, That this Act shall not extend to give liberty to any person or persons, their Executors, or Administrators, at whose suite or suites any such party shall be in Execution and dye in Execution, to have or take any new Execution, against any the Lands, Tenements, or Hereditaments of such party so dying in Execution, which shall at any time after the said Judgement or Judgements, be by him sold, Bona fide, for the payment of any of his Creditors, and the Money which shall be paid for the Land so sold, either paid, or secured to be paid, to any of his Creditors, with their privy and consent in discharge of his or their due debts, or of some part thereof: Any thing before in this Act to the contrary hereof, in any wise notwithstanding.

C A P. X.

An Act against the fraudulent Administration of Intestates Goods.

Eng: ft: 43
El. cap: 8:

FOrasmuch as it is often put in ure, to the defrauding of Creditors, That such persons as are to have the Administration of the Goods of others, dying Intestate, committed unto them, if they receive it, will not accept the same, but suffer or procure the Administration to be granted to some stranger, of meane estate, & not of kinne to the intestate, from whom themselves or others by their means, doe take Deeds of gifts, & Authorities by Letter of Attourney, whereby they obtaine the State of the Intestate into their hands and yet stand not subject to pay the Debts owing by the same Intestate, and so the Creditors for lack of knowledge of the place of Habitation of the Administrator, cannot arrest him, or sue him, and if they fortune to find him out, yet for lacke of ability in him, to satisfie of his owne goods, the value of that he hath conveyed away of the Intestates Goods, or released of his debts by way of wasting, the Creditors cannot have or recover their just and due debts.

Be it enacted by the authority of this present Parliament, That every person and persons, that hereafter shall obtaine, receive or have, any Goods or Debts, of any person Intestate, or a Release, or other Discharge, of any Debt or Duty that belonged to the Intestate upon any fraud, as is aforesaid, or without such valuable consideration, as shall

shall amount to the value of the same Goods and Debts, or neere thereabouts, except it be in or towards satisfaction of some just and principall Debt, of the value of the same Goods or Debts to him owing by the Intestate at the time of his decease, shall be charged and chargeable, as Executor of his owne wrong: And so farre onely as all such Goods and Debts comming to his hands, or whereof hee is released or discharged by such Administrator, will satisfie deducting nevertheless, to and for himself, allowance of all just, due, and principall Debt, upon good consideration without fraud, owing to him by the Intestate at the time of his decease, and of all other Payments made by him, which lawfull Executors or Administrators, may and ought to have and pay by the Lawes and Statutes of this Realm.

CAP. XI.

An Act for the avoyding of Recoveries suffered by collusion by Tenants for Terme of life, and such others.

VV Here divers persons bring seized, or that had been seized of Lands, Tenements and Hereditaments, as Tenants by the courtlesse, Tenants in taile after possibility of Issue extinct, or otherwise onely for Term of Life or Lives, or of Estates determinable upon Life or Lives, have heretofore permitted & suffered other persons, by agreement or covin between them had; to recover the same Lands and Tenements, and other Hereditaments, against the same particular Tenants in the Kings Majesties Courts; or have permitted and suffered themselves to be vouched by other persons by agreement or covin between them had, in Recoveries suffered of the same Lands, Tenements, and other Hereditaments in the Kings Majesties Courts, to the great prejudice of those to whom the Reversion or Remainder thereof hath appertained, or ought to appertaine.

For Remedy whereof, Be it enacted by the Kings most Excellent Majesty, with the assent of the Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, and by the Authority of the same, That all such Recoveries hereafter to be had or prosecuted by agreement of the Parties, or by covin, as is aforesaid, against any such particular Tenant or Tenants, of any Lands, Tenements, or Hereditaments, whereof the same particular Tenant or Tenants, is, are, or hereafter shall be seized of any such particular Estate, as is aforesaid, or against any other, with Voucher over of any such particular Tenant or Tenants, or of any, having or that had Right or title to any such particular Estate or Tenancy, as is aforesaid, shall from henceforth, as against such person or persons, to whom any Reversion or Remainder thereof, by force of any conveyance or devise, before that time had or made, shall, ought, or may lawfully appertaine, and against their Heirs and Successors, be clearly & utterly void, & of none effect: Any Law or usage heretofore had to the contrary thereof in any wise notwithstanding.

Provided alwayes, That this Act, nor any thing therein containd shall extend or be prejudiciall to any person or persons, that shall hereafter by good Title, recover any Lands, Tenements, or hereditaments, without fraud or covin, by reason of any former Right, or Title, but that all and every such Recovery and Recoveries, so to be had or prosecuted upon former Rights or Titles shall stand and be in the like force, strength and effect, as they were before the making of this Act: Any thing therein contained to the contrary thereof in any wise notwithstanding.

Provided also, That all and every such Recovery and Recoveries be

had or prosecuted, of any Lands, Tenements, or Hereditaments, as aforesaid, by the assent and agreement of any person or persons, to whom any Reversion or Remainder thereof, then shall, or ought to appertain, (so that the same assent and agreement doe appeare of Record in any Court of our Soberaigne Lord the Kings Majestie, his Heires or Successors) shall stand and be in like force, strength, and of like effect, against such person and persons, that shall so assent and agree, their Heires and Successors, as they were before the making of this present Act: Any thing therein contained to the contrary thereof in anywise notwithstanding.

CAP. XII

An Act for the avoyding of Secret Summons in Reall Actions.

Eng. ft. 3.
Cl. Cap: 2

FOR the avoyding of Secret Summons in Reall Actions, without convenient notice of the Tenants of the free-hold: Be it ordained and enacted by the Kings most Excellent Majestie, the Lords Spirituall and Temporall, and Commons in this present Parliament assembled, and by Authority of the same, That after every Summons upon the Land in any Reall Action, fourteen dayes at the least, before the day of the Return thereof, Proclamation of the same Summons shall be made on a Sunday, at or neere to the most usuall doore of the Church or Chappel of that Town or Parish, where the Land whereupon that Summons was made, doth lye, and in case there be no Church nor Chappel, then in the Church-yard of the same Parish, where the Land whereupon the Summons was made, doth lye: And that Proclamation so made, as aforesaid, shall be returned, together with the names of the Summoners, and if such Summons shall not be Proclaimed and returned, according to the tenor and meaning of this Act, Then no grand cap. to be awarded, but an alias and plures Summons, as the cause shall require, untill a Summons and Proclamation shall bee duly made and returned, according to the tenor and meaning of this Act: Any Law, Statute, or usage to the contrary notwithstanding.

CAP. XIII.

An Act for Explanation of the Statute of *Anno Octavo* of Henry the sixth concerning forcible Entries, and to enable certaine Iudges and Iustices, to give restitution of Possessions in certaine cases.

Eng. ft. 21
3a: cap : 15

WHEREAS there is one good Act, made and established in England, in the eight yeare of the Raign of King Henry the sixth, against such persons as should make forcible Entries into Lands, Tenements, and other Possessions, or them should forcibly hold: And one very good Proviso or Clause in the said Act contained, as insueth, Viz. Provided alwayes, that they which keep their Possessions with Force in any Lands and Tenements, whereof they or their Auncellors have continued their Possession in the same by three years or more, bee not endamaged by force of the said Statute. And whereas divers of the Kings Majesties good and loving Subjects, and their Auncellors, or those whose Estate they have for many years together, above the space of three years, or more, have been in quiet Possession of their dwelling-houses, and other their Lands and Possessions: And now of late, divers of his Majesties said Subjects having Entries made upon their Possessions, having had such quiet and long Possession, for disturbing of such Entries, and for keeping of their Possession against such Enterers, by colour of Indictments of forcible Entry, or forcible keeping Possession found against them, by means of the oathes of such Enterers, have been removed and put out of their dwelling-houses, and other their Possessions,

which

which they have quietly held by the space of three years together, or longer time, next before such Indictments found against them, against the true meaning and intent of the said proviso, or clause contained in the said Act.

For remedy of which inconvenience, and for true Declaration and Explanation of the Law therein, be it ordained, declared, and enacted by the Authority of this present Parliament, that no Restitution, upon any Indictment of forcible entry, or holding with force, be made unto any person or persons, if the person or persons so indicted, hath or have had the occupation, or hath or have been in the quiet Possession, by the space of three whole years together, next before the day of such Indictment so found, and his, her, or their estate or estates, therein not ended, nor determined, which the Party indicted, shall and may alledge for stay of Restitution, and restitution to stay, untill that be tryed, if the other will deny or traverse the same. And if the same Allegations be tryed against the same person or persons so indicted, then the same person or persons, so indicted to pay such costs and damages to the other party, as shall be assessed by the Judges or Justices, before whom the same shall be tryed, the same costs and damages to be recovered and leveyed, as is usuall for costs and damages, contained in Judgements upon other Actions.

And be it further enacted by the Authority aforesaid, that such Judges, Justices or Justice of the Peace, as by reason of any Act or Acts of Parliament, now in force, are authorized and enabled upon enquiry, to give Restitution of Possession unto the Tenants, of any estate of free-hold, of their Lands or Tenements which shall be entered upon with Force, or from them with-holden by Force, shall by reason of this present Act, have the like, and the same Authority and ability, from henceforth, (upon Indictment of such forcible entries, or forcible with-holding before them duely found) to give like Restitution of Possession unto Tenants, for Term of years, Tenants by Coppy of Court Roll, Guardians by Knights service, Tenants by Elegit, Statute-Merchants, and Staple, of Lands or Tenements, by them so holden, which shall be entered upon by force, or holden from them by force.

And be it further enacted by the authority aforesaid, That all and every Justice and Justices of Assize, shall for ever hereafter in their several Circuits respectively, have the like power and authority, to all intents and purposes, to inquire, heare and determine of all forcible Entries, and forcible holding, and all other offences as well against the said Statute of Octavo of King Henry the Sixth, as against this present Statute, and to award Restitution of Possession in all cases, as any other Judge, or Justice or Justices of the Peace could, or may doe by this Act, or by any other Statute of force within this Realm.

CAP. XIV.

An Act against the killing of young Spawne, and Frye of Eccles and Salmon,

In all humblenesse, we your Majesties loyal and faithfull Subjects of this your Highnesse Realm of Ireland, doe pray and beseech your most excellent Majesty, That it may be enacted by your Highnesse, with the assent of the Lords Spirituall and Temporal, and Commons in this present Parliament assembled, in manner and forme following, viz. For as much as great hurt, and daily inconveniences have and doe ensue unto all the Kings Subjects of this Realm, by the greedy appetites, and insatiable desire, which sundry of them occupying fishing, have used, by taking and killing the young Spawne, Frye,

eng. 8. 1 el
cap. 17

or Breed of Eeles and Salmon, as well in Salt Rivers, as in fresh Rivers, Loghes, Blathes, Fennes and Marches, in many parts of this Realm: As also setting of stop-Pets, Still-Pets or standing-Pets fixed upon posts, or otherwise, in the Rivers where the Salmon should passe up from the Sea, to the great hinderance and prejudice of the Common-wealth of this Realm.

Be it therefore enacted by this present Parliament, and by the Authority of the same, that no manner of person or persons, of what Estate Degree, or Condition soever they be, with any manner of Pet, Weele or with any other device or Engine whatsoever, shall willingly presume to take any Fry, Spawne, or Breed of Eeles in any River or water, salt or fresh, within this Realm of Ireland. And over this, that no manner of person or persons, from hence forth shall presume willingly to take or destroy, in or by means of any weele, Pet, Pet of haire, or by any other Engine (Angling onely excepted) flud-gate, Salmon-pipe, or at the tayle of any Mill or ware, or in any Straits, Rivers or Brooks, salt or fresh, within this Realm of Ireland, the young Fry, Spawne, or Breed, of any kind of Salmon, called Lakespinks, Smoltos, or Salmon Peales. And also that no manner of person or persons, shall use or set, or take any Salmon, with any such stop-Pets, still-Pets, or standing-Pets: And if any person or persons offend in any of the points before rehearsed, contrary to the tenor, form, and purport of any part of the same, then every such person or persons so offending shall loose and forfeit for every time of his, or their such offence, the sum of forty shillings, and the fish, and also the unlawfull Pets and other unlawfull Engines and Devices, whatsoever they be, made, kept, or used, for the killing, taking, or destroying of the young Breed, Spawne, or Fry of Eeles, or Salmon, before rehearsed, or setting out of the said stop-Pets, or taking the said Salmon therewith, the one halfe of the said forfeiture, shall be to the Kings Highnesse, his Heires and Successors, and the other halfe shall be to Him that will sue for the same, by Action of Debt, Bill, Plaint, or otherwise, in any Court of Record within this Realm. And that the Justices of Assizes, and also the Justices of the Peace in every Assize, and Quarter-Sessions in all Counties within this Realm, shall have full power and Authority by vertue of this present Act, by way of Indictment, or otherwise, not onely to enquire of, and upon defaults and offences committed, contrary to the tenor and effect of this present Act, but also to heare and determine the same, and to inflict due punishment, for Reformation thereof by fine, Imprisonment, or otherwise, according to the tenor of this Act, from time to time, as often as the case shall require in every behalf.

CAP. XV.

An Act against Maintenance, Embracery, &c. and against unlawfull buying of Titles.

Eng: ft. 32.
P: 8. cap. 9.

THe King our Soberaigne Lord, calling to his most blessed remembrance, That there is nothing within this Realm, that conserveth his loving Subjects in more quietnesse, rest, peace, and good concord, than the just and due Administration of his Lawes, and the true and indifferent Trials of such Titles and Issues, as be to be tryed, according to the Lawes of this Realm, which his most Royall Majestie perceiveth to be greatly hindred by Maintenance, embracery, Champerty, Subornation of Witneses, sinister labour, buying of titles and pretended rights of persons, not being in Possession, whereupon great Perjury hath ensued, and much unquietnesse, oppression, vexation, trouble, wrongs, and disinheritance, hath followed among his most loving Subjects, to the great displeasure of Almighty God, the discontentation

tentation of his Majesty, and to the great hinderance and lette of Justice within this His Realm.

For the abyding of all which Misdemeanors, and buying of Titles and pretended Rights, and to the intent that Justice may be more fully and indifferently ministred, and the truth in causes of contention, plainly tryed between his Subjects of this Realm: Be it enacted by our said Sovereigne Lord, with the assent of the Lords Spirituall and Temporall, and the Commons in this present Parliament assembled and by the Authority of the same, That from henceforth all Statutes heretofore made in England, concerning Maintenance, Champerty and Embracery, or any of them, now standing & being in their full strength and force, shall be put in due Execution in this Realm of Ireland, according to the Tenures and effects of the same Statutes.

And over that, Be it further enacted by the Authority aforesaid, That no person or persons of what Estate, Degree, or condition soever he, or they be, shall from henceforth bargain, buy or sell, or by any wayes or means, obtaine, get, or have any pretended Rights, or Titles or take, promise, grant or covenant, to have any Right or title of any person or persons, in, or to any Mannors, Lands, Tenements or Hereditaments, but if such person or persons, which shall so bargain, sell, give, grant, covenant, or promise the same, their Ancestors, or they, by whom he or they claime the same, have been in Possession of the same, or of the Reversion or Remainder thereof, or taken the Rents or profits thereof, by the space of one whole yeare next before the said Bargaine, Covenant, grant, or promise made, upon paine, that he that shall make any such bargain, sale, promise, covenant, or grant to forfeit the whole value of the Lands, Tenements, or Hereditaments, so bargained, sold, promised, covenanted or granted, contrary to the forme of this Act: And the buyer or taker thereof, knowing the same, to forfeit also the value of the said Lands, Tenements or Hereditaments, so by him bought or taken, as is abovesaid: The one halfe of the said forfeitures, to be to the King our Sovereigne Lord, and the other halfe to the party that will sue for the same, in any of the Kings Courts of Record, by Action of debt, bill, plaint or information: in which Action bill, plaint, or information, no esoyne, protection, wager of Law, nor Injunction, shall be allowed.

And further more, That no manner of person or persons, of what estate, degree or condition soever, he or they be, doe hereafter unlawfully maintaine, or cause or procure any unlawfull maintenance in any Action, Demaund, Suite or complaint, in any of the Kings Courts of the Chancery, Castle-chamber or else-where, within this His Highnesse Realm of Ireland, where any person or persons, have or hereafter shall have authority, by vertue of the Kings Commission, Patent or Writ, to hold plea of Lands, or to examine, heare or determine any Title of Lands, or any matter of witnessles, concerning the Title, right or interest, of any Lands Tenements or Hereditaments. And also that no person or persons, of what estate, degree or condition soever he or they be, doe hereafter unlawfully retaine, for maintenance of any suit, or plea, any person or persons, or embrace any free-holders, or Jurors, or suborne any Witnessles, by Letters, rewards, promises, or any other sinister labour or means, for to maintaine any matter or cause, or to the disturbance or hinderance of Justice, or to the procurement or occasion of any manner of Perjury, by false verdict or otherwise, in any manner of Courts aforesaid, upon paine to forfeit for every such Offence, Ten Pounds: The one Moetye thereof unto the

the King our Sovereign Lord, and the other Moyetic to him that will sue for the same, by Action of Debt, Bill, Plaint or Information, in any of the Kings Courts, in which Action, no Eloyne, Protection, Wager of Law, nor Injunction shall be allowed.

Provided alway, and be it enacted by the authority aforesaid, That it shall be lawfull to any person or persons, being in lawfull possession, by taking of the yearly Farme, rents or profits, of, or for any Mannors, Lands, Tenements or Hereditaments, to buy, obtaine, get or have by any reasonable way or means the pretended right or title, of any other person or persons, hereafter to be made, to, of, or in such Mannors, Lands, Tenements, or Hereditaments, whereof he or they shall so be in lawfull possession: Any thing in this Act contained to the contrary notwithstanding.

And for the due execution of this present Act, Be it further enacted by the authority abovesaid: that the Justices of Assize of every Circuit within this Realm, shall in every County within their Circuits, two times in the yeare, that is to say, in the time of their sittings, for the taking of Assizes, or delivery of the Gaoles, cause open Proclamation to be made, as well of this present Act, and of every thing therein contained, as also of all other Statuts heretofore made against unlawfull Maintinance, Champerty, Embrocery or unlawfull Retainers, to the intent that no manner of person or persons, bearing the same, should be ignorant or miscognisant of the dangers and penalties therein contained and specified.

Provided alway, and be it enacted by the authority aforesaid: That this Act shall not extend to charge any person or persons, with any the Penalties mentioned in the said Act, for any Offence by him or them committed, contrary to the said Act, except the same person or persons so offending, be Sued thereof, by Action of Debt, bill, plaint or information, in any of the Kings Courts, within One yeare, next after the same Offence by him or them committed, as is aforesaid.

Provided also, and be it enacted by the authority aforesaid: That this Act, nor any thing therein contained, shall not extend in any sort, to limit or restraine the power or jurisdiction of the High Court of Castle-Chamber in this Realm: But that that Court may at any time proceede to the punishment of any of the Offences or Misdemeanours, mentioned in this Act, according to their discretions: Any thing in this Act contained to the contrary notwithstanding,

CA p. XVI.

An Act concerning Women convicted of small Felonies

Eng. 8: 21
3a: cap. 6.

V Hereas by the Lawes of this Realm, the benefit of Clergy is not allowed to Women convicted of Felony, by reason whereof, many Women doe suffer Death for small causes: Be it enacted by the authority of this present Parliaments that any Woman being lawfully convicted by her confession, or by the verdict of twelve men, of or for the Felonious taking of any Money, Goods or Chattells, above the value of twelve pence, and under the value of ten shillings sterling, or as accessary to any such offence, the said offence being no Burglary, nor Robbery, in or neere the High-way, nor the Felonious taking of any Money, Goods, or Chattells, from the person of any Man or Woman, privily, without his or their knowledge, but onely such an Offence as in the like case a Man might have his Clergy, shall for the first Offence be branded and marked in the hand, upon the browne of the left thumbe, with a hot burning Iron, having a Roman T upon the said Iron, the said marke to be made by the Jaylor, openly

openly in the court, before the Judge, and also to be further punished by imprisonment, Whipping, Stocking, or sending to the house of Correction, in such sort, manner and form, and for so long time (not exceeding the space of one whole yeare) as the Judge, Judges, or other Justices, before whom she shall be so convicted, or which shall have authority in the cause, shall in their discretions think meet, according to the quality of the Offence, and then to be delivered out of Prison for that Offence: Any Law, Custome or usage, to the contrary notwithstanding.

CAP. XVII.

An Act for the punishment of such as shall take away Maydens that be Inheritors, being within the Age of sixteen years, or marry them without the Consent of their parents.

Where Maidens, & Women-Children of Noblemen, Gentlemen, and others, (as well such as be Heires apparant to their Ancestors as others, having left unto them by their Father or other Ancestor or Friends: Lands, Tenements and Hereditaments, or other great Substances, in Goods and Chattells moveable, for, and to the intent to advance them in Marriage, some what like according to their Degrees, and as might be most for their surety and comfort, as well for themselves, as of all their Friends and Kins-folkes) by flattery, trifling gifts and faire promises, of many unthrifty and light personages, and thereto by the intreaty of persons of lewd demeanour, and others, that for rewards, buy and sell the said Maydens and Children secretly allured and wonne, to contract Matrimony with the said unthrifty and light personages: And thereupon either with flight, or force, often-times be taken and conveyed away from their said Parents, Friends or Kins-folkes, to the high displeasure of Almighty God, disparagement of the said Children, and the extreame continual heaviness of their Friends: which ungodly dealing, for lack of wholsome Laws to the redresse thereof, remaineth a great, familiar and common mischief in this our Common-Wealth.

For remedy whereof, Be it enacted by the Kings most excellent Majesty, the Lords Spiritual and Temporall, and the Commons of this present Parliament assembled, and by the authority of the same: That it shall not be lawfull to any person or persons, to take or convey away, or cause to be taken or conveyed away, any Maid, or Woman-Child unmarried, being within the age of sixteen years out of, or from the possession, custody, or governance, and against the will of the father of such Maid, or Woman-Child, or of such person or persons, to whom the Father of such Maid or Woman-child by his last will and Testament, or by any other Act in his life time, hath, or shall appoint, assigne, bequeath, give or grant, the order, keeping, education or governance of such Maid or Woman-child: except such taking and conveying away, as shall be had, made or done by, or for such person or persons, as without fraud or covin, be, or then shall be the Master or Mistress of such Maid or Woman-Child, or the Guardian in Socage, or Guardian in Chivalry, of, or to such Maid, or Woman-Child.

And be it further enacted by the authority aforesaid: That if any person or persons, above the age of fourteen years, shall from and after the first day of May next ensuing, after the end of this present session of parliament, unlawfully take or convey, or cause to be taken or conveyed, any Maid or Woman-Child, unmarried, being within the age of sixteen years, out of, or from the possession, and against the will of the Father or Mother of such Child, or out of, or from the possession

the punishment
imprisonment
for two
years

possession against the will of such person or persons, as then shall happen to have, by any lawfull wayes or means, the order, keeping, education or governance of any such Maid or Woman-child: That then every such person or persons so offending, being thereof lawfully attainted or convicted by the order and due course of the Lawes of this Realm, other than such, of whom such person taken away, shall hold any Lands or Tenements, by Knights Service, shall have and suffer Imprisonment of his and their Bodies, by the space of two whole years without baile or mainprise, or else shall pay such fine for his or their said Offence, as shall be assessed by the Councell of the Kings Highnesse, his Heires or Successors, in the Court of Castle-Chamber.

And be it further enacted by the authority aforesaid, That if any such person or persons, after the said day, shall so take away or cause to be taken away, as is aforesaid, and deflower any such Maid or Woman-child, as is aforesaid, or shall against the will or unknowing, of or to the Father of any such Maid or Woman-child (if the Father be in life) or against the will, or unknowing, of or to the Mother of any such Maid or Woman-child having the custody and government of such Child (if the Father be dead) by secret Letters, Messages or otherwayes, contract Matrimony with any such Maid or Woman-child, except such contract of Matrimony, as shall be made by the consent of such person or persons as by the title of Wardship, shall then have or be intituled to have, the Mariage of such Maid or Woman-child: That then every such person or persons so offending, being thereof lawfully convicted as is aforesaid, shall suffer imprisonment of his, or their bodies, by the space of five years, without baile or mainprise or else shall pay such fine for his or their said offence, as shall be assessed by the said Councell: in the said Court of Castle-Chamber, The one Moiety of all which fines, shall be to the Kings Majesty, his Heires & Successors: The other Moiety to the parties grieved.

And be it further enacted by the said authority: That the Kings Highnesse Honourable Councell of the Castle-Chamber, by Bill of complaint, or information, and Justices of Assize by Inquisition or Indictment, shall have authority by vertue of this Act, to heare and determine the said offences: upon every which Indictments & Inquisitions such processe shall be awarded, and lye as upon an Indictment of Trespasse at the Common Law,

And further, Be it enacted by the authority aforesaid: That if any woman-child, or Maiden, being above the age of twelve years, and under the age of sixteen years, doe at any time consent or agree to such person, that so shall make any Contract of Matrimony, contrary to the form and effect of this Statute: That then the next of the Kin of the same woman-child or Maid to whom the Inheritance should descend, return or come, after the decease of the same woman-child and Maid, shall from the time of such assent and agreement, have, hold and enjoy, all such Lands, Tenements, & Hereditaments, as the same woman-child, and Maiden, had in possession, reversion or remainder, at the time of such assent and agreement, during the life of such person, that so shall contract Matrimony. And after the decease of such person so contracting Matrimony, that then the said Lands, Tenements, and Hereditaments, shall descend revert, remain, and come to such person or persons, as they should have done, in case this Act had never been had, nor made, other than to him onely that so shall contract Matrimonie.

CAP. XVIII.

An Act for the swearing of Under-Sheriffes, and other Officers.

FOrasmuch as grievous complaints are many times made, of the misdemeanors and evil behaviour of Under-Sheriffes, who oftentimes having to them committed by the high-Sheriffe, the whole, or part of the exercising, and executing of the Office of the high Sheriffe, and not taking any Corporall Oath, as the High Sheriffe doth, for the executing and discharging of the same Office, doe therefore daily, most injuriously through Corruption and affection, impannell Jurors for the Kings Majesty, and betwixt party and party, to the great losse, hinderance and damage of divers his Majesties loving Subjects of this Realm.

Eng ft: 27
El: cap: 12.

For reformation whereof, Be it enacted by the authority of this present Parliament: That all and every person and persons, that from and after the first day of May next ensuing, shall be admitted to, or take upon him the executing of the Office of an Under-Sheriffe, in any Shire or County, within this Realm of Ireland, before he intermeddle with the use or exercise of the said Office, shall receive and take a corporall Oath upon the Holy Evangelists, before the Justices of assize, or one of them of the same Circuite, wherein that Countie is, whereof he shall be Under-Sheriffe, or before the custos Rotulorum, or two Justices of the Peace, whereof one to be of the Quorum of the said County, whereof he shall be Under-Sheriffe, as aforesaid, which Oath shall be as followeth: That is to say. *I. A. B.* shall not use or exercise the Office of Under-Sheriffe corruptly, during the time that *I* shall remain therein, neither shall or will accept, receive or take, by any colour meanes, or device whatsoever, or consent to the taking of any manner of fee, or reward of any person or persons, for the impannelling or returning of any Inquest, Jury, or Tales, in any Court of Record for the King, or between party and party, above two shillings, or the value thereof, or such fees as are allowed and appointed for the same, by the Lawes and Statutes of this Realm, but will according to my power truely and indifferently, with convenient speed, impannell all Jurors, and return all such Writts or Writs, touching the same, as shall appertain to be done by my Duty or Office, during the time that *I* shall remain in the said Office: So help me God.

And likewise be it enacted by the authority aforesaid, That this Act shall be a sufficient Warrant to the persons appointed by this Act, to Minister the Oath aforesaid, for the Ministering thereof accordingly.

And be it further enacted by the authority aforesaid, That every Under-Sheriffe that is already chosen, and appointed, for the executing of the said Office of Under-Sheriffe, for the yeare or time begun, of, or upon the last change of Sheriffes, shall within forty dayes, next after the end of this present Session of Parliament, receive and take the oath mentioned in this Act, before such person or persons, as by this Act, is or are limited and appointed to Minister the same.

And be it further enacted by the authority aforesaid: That every Bayliffe of Franchises, Deputy, and Clerke of every Sheriffe, and Under-Sheriffe, and every other person and persons, which after forty dayes, after the end of this present Session of Parliament, shall have Authority, or take upon him to Impannell, or return any Inquest, Jury or Tales, or to intermeddle with Execution of Processe in any Court of Record, shall before he or they intermeddle with any further Execution thereof, receive and take the Oath aforesaid, corporally, before the person or persons, appointed by this Act to minister the same,

or before the head Officer of the place, if it be a Towne corporate, changing onely the word, and the Office of Under-Sheriffe, contained in the oath expressed in this Act to such words as are convenient for the Deputation, Office, or place, in which the party which taketh the Oath is to be exercised in. And if any the said persons limited to take the Oath aforesaid, do take upon him to impannell, or return any Inquest, Jury, or Tales, or to intermeddle with the execution of procelle not having before taken the Oath aforesaid, that then every such person shall loose and forfeit the summe of forty pounds of currant English Mony: The one moiety to be to the use of our Soberaigne Lord the King: the other moiety to him or them that will sue for the same.

And be it further enacted by the authority aforesaid, That if any Sheriffe, or other person mentioned in this Act, or any of them, at any time or times, from, and after forty dayes next ensuing the last day of this present Parliament, shall doe or commit any Act or Acts, contrary to the oath aforesaid, or contrary to the true intent and meaning of this Act, That then every such person so offending, shall forfeit and lose for every such offence, to the party or parties grieved, his or their treble damages. All which severall forfeitures before mentioned, shall, or may by the authority of this present Act, be recovered, had, and levied by action of debt, bill, plaint, or information, in any of the Kings Majesties Courts of Record: In which Actions, Suits, Plaints, or Informations, no wager of Law, Essoyne, or Protection shall be allowed.

And be it further enacted by the authority aforesaid, That the Justices of Assize, and Justices of Peace in their open Sessions, shall have full power within the limits of their authority, to heare and determine the defaults done contrary to this Act, as well by presentment and information, as indictment, and upon conviction of the Offenders, to award Execution for the levie of the forfeitures aforesaid, by Fieri facias, Attachment, capias, or Exigent.

C A p. XIX.

An Act to prevent Extortions in Sheriffes, Under-Sheriffes, and Bayliffes of Franchises and Liberties, in cases of Execution,

Eng: st: 29
El: cap: 4.

BE it enacted by the authority of this present Parliament, that it shall not be lawfull from the first day of May next ensuing, to or for any Sheriffe, Under-Sheriffe, Bailiffe of Franchises, or Liberties, nor for any of their Officers, Ministers, Servants, Bailiffes, or Deputies, nor for any of them, by reason or colour of their, or any of their Office or Offices, to have, receive, or take, of any person or persons whatsoever, directly, or indirectly, for the serving or executing of any Extent or Execution, upon the body, lands, goods, or chattels of any person or persons whatsoever, more, or other consideration or recompence, than in this present Act is, and shall be limited and appointed, which shall be lawfull to be had, received, and taken: That is to say, Twelve pence of and for every Twenty shillings, where the summe exceedeth not one hundred pounds: and six pence for every Twenty shillings, being over and above the said summe of one hundred pounds, that he or they shall so levie or extend, and deliver in execution, or take the body in execution for, by vertue and force of any such extent or execution whatsoever, upon pain and penalty, that all and every Sheriffe Under-Sheriffe, Bayliffe of Franchises, or Libertyes, their, and every of their ministers, Servants, Officers, Bayliffes, or Deputies, which at any time after the said first day of May, shall directly, or indirectly doe the contrary, shall loose and forfeit to the party grieved his treble damage, and shall forfeit the summe of forty pounds of good and law-
full

full English money, for everypime that he, or they, or any of them shall doe the contrary: The one moiety thereof to be to our Soberaign Lord the Kings Majestie that now is, his Heires and Successors, and the other moiety to the party or parties that will sue for the same, by any plaint, action, bill, suite, or information, wherein no Elsoyne, Wager of Law, or Protection shall be allowed.

CAP. XX.

An Act against such as shall levie any Fine, suffer any Recovery, knowledge any statute, Recognizance, Baile, or Judgement, in the name of any other person or persons, not being privie and consenting thereto.

VV Hereas it is of late growen to be a great and generall Eng: ff: 21.
grievance to his Majesties Subjects within the Realm Ja: cap: 26
of Ireland, That many lewd persons of base condition for very litle reward or recompence, have of late years used, and still do use to levie fines, and suffer Recoveries of Lands, and other Hereditaments, to knowledg Statutes, Recognisances, Bailes, and Judgements, in the name or names of any other person or persons, not privie or consenting to the same, which hath, and daily doth turn to the great Inquietation, charge, trouble, and undoing of many of the good Subjects of this Kingdome. And the rather for that there is no remedy in law, to reform these and the like abuses.

For remedy whereof, Be it enacted by the Kings most excellent Majestie, the Lords Spirituall and Tempozall, and Commons in this present Parliament assembled, and by the authority of the same, that all and every person and persons, which at any time after the end of this present Session of Parliament shall acknowledge, or procure to be acknowledged, any fine or fines, recovery or recoveries, deed or deeds inrolled, statute or statutes, recognisance or recognisances, baile or bailes, judgement or judgements, in the name or names, of any other person or persons, not privie and consenting to the same, and being thereof lawfully convicted or attainted, shall be adjudged, esteemed and taken to be Felons, and suffer the paines of death, and incurre such forfeitures and penalties, as Felons in other cases convicted or attainted doe by the laws of Ireland, lose and forfeit, without the benefit or priviledge of Clergy to be allowed to any such offender or offenders.

Provided alwayes, that such attaindor shall not be any corruption of blood, nor losse of Dower to the wife, but the next heire shall have the Lands, whereof such persons attainted died seised, and such wife her dower, as if no such attaindor had bin had.

Provided alwayes, and be it likewise enacted by the authority aforesaid, that this act shall not extend to any judgement or judgements acknowledged by any Attorney or Attorneys of Record, for any person or persons, against whom any such judgement or judgements shall be had or given.

CAP. XXI

An Act whereby certain of the Nobility of this Kingdom of Ireland, dwelling within England, or elsewhere out of this Realm, are made lyable unto certain charges within this Kingdom.

VV Hereas it hath pleased our late most gracious Soberaign Lord King James of blessed memorie, as also the Kings most excellent Majestie that now is, out of their Princely wisdomes, and of their meer grace and favour, to conferre upon severall able, worthy and well-deserving persons, inhabiting, or dwelling in England and elsewhere out of this Kingdom, Titles of honour amongst the

the Nobilitie of this Kingdom of Ireland, whereby they do enjoy place and precedencie, according to those titles respectively. So it cannot be denied, but that in a just way of retribution, they ought to contribute to all publike charges and payments, taxed by Parliament in this Kingdom, from whence the titles of their Honors are derived, and whereunto others of their rank here resident are liable.

Be it therefore enacted by the Kings most excellent Majesty, the Lords Spirituall, and Temporall & the Commons in this present Parliament assembled, and by the authority of the same, That all and every person and persons, now being, or which hereafter shall be an Earl, Viscount, or Baron of this Kingdom and have place & voice in the Parliament of this Realm, though resident, or dwelling in England, or elsewhere, shall be liable to all publike payments, and charges, which shall be taxed or assessed in this present Parliament, or in any other Parliament hereafter to be assembled in this Kingdom, or by authority of the same Parliaments, or any of them, and shall from time to time contribute thereunto, and pay their ratable parts thereof in such manner & form as others of their ranke, resident in this Kingdom, are liable unto or shall pay.

CAP. XXII.

An Act to repeal a Statute made in the twelfth yeare of King Edward the fourth, concerning bringing Bowes into this Realm.

Whereas by an Act of Parliament, made in the twelfth yeare of King Edward the fourth, entituled, An Act for bringing bowes into this Realm, from the Realm of England, by Merchants & others, it is ordained & enacted, (That every Merchant & Passenger, that bring Merchandizes into this Land of Ireland, out of England, to the summe of one hundred pounds, that he shall buy & bring with him into the said Land in bowes, to the value of one hundred shillings, and so following after the rate, under or over, to the summe of twenty pounds. And if any Merchant or Passenger, bring any Merchandize into the said Land, and bring with him no bowes, as is aforesaid rehearsed, that the said Merchant shall lose and pay the value of the said bowes, the one moiety thereof to the King, and the other Moiety to the Searchers of the same, for the time being, and that the said searchers may have an action of debt against the said persons therefore, in any Court that the King hath, as well for the King as for the said Searchers. And that the Bailiffes of the City of Dublin for the time being, be searchers of the same within the franchises of the said City, and that the Sheriffes of the towne of Drogheda, in like manner upon the same within the franchises of the said Towne, and so in like manner the officers of the same in every Citie and Towne, within this Land of Ireland: And if the said searchers in any City and Town, within this said Land, be negligent in exercising of the said search, that they shall lose to the King for every default forty shillings, as by the said Act more at large appeareth.)

Forasmuch as the cause of making of the said Act is now utterly ceased, for that the use of bowes is not so needfull now, as it was at the time of the making of the said Act: And for that if such store of bowes should be brought into this Realm as by the said Act is required, there would be no vent nor utterance for the same: Be it enacted by the authority of this present Parliament, That the said Act for the bringing in of bowes, in manner and form aforesaid, and the forfeiture of the value of the said bowes, and the power thereby given to the searchers,

chers, to have an action of debt for the value of the said bowes against such persons as failed to bring in the same, in any of the Kings Courts, as well for the King, as for the searchers, and all and every branch, clause and article in the said Act contained, be repealed and made utterly void and of none effect, to all intents and purposes.

CAP. XXIII.

An Act for the Granting of Eight Entire Subsidies by the Prelates and Clergie of Ireland.

VV Here the Prelates and Clergie of the Kingdom of Ireland, for divers weighty considerations, respecting his Majesties extraordinary occasions have lovingly and liberally given and granted to the Kings most Excellent Majestie eight whole and entire Subsidies, of Four shillings in the pound, to be taken and levied of all and singular their promotions spirituall, within the same Kingdom, at such dayes and times, and in such certain manner and form, and with such exceptions and provisions as be specified and declared in a certain Instrument by them thereof made, and delivered to the Lord Deputy, under the Seal of the most reverend father in God, James, Lord Archbishop of Armagh, and Primate of all Ireland, which Instrument is now exhibited in this present Parliament, to be ratified and confirmed: The tenor whereof ensueth in these words, viz.

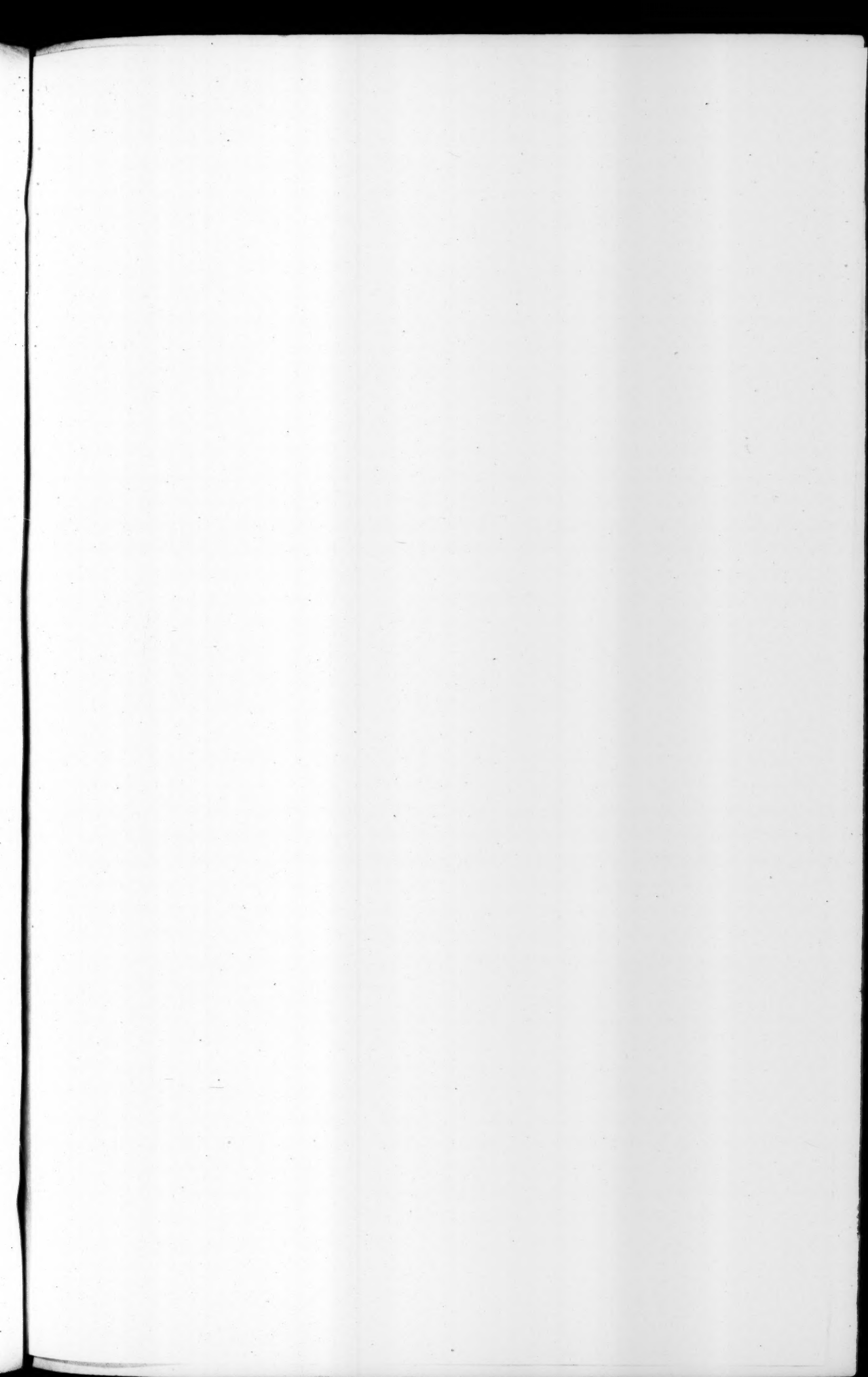
Illustrissimo ac potentissimo Principi, ac Domino nostro clementissimo Carolo, Dei gratia Angliæ, Scotiæ, Franciæ, & Hiberniæ Regi, fidei defensori &c. *Jacobus* divina providentia Armachanus Archiepiscopus, totius Hiberniæ Primas & Metropolitanus, cum omni observantia tanto Principi debita, prosperum in hac vita successum, & in futura, æternam felicitatem. Serenissimæ vestræ Majestati, per publicum hoc instrumentum notum facimus, Quod Prelati & Clerus totius Hiberniæ, in sacra Synodo Nationali, jussu serenissimæ Majestatis vestræ, in Ecclesia Cathedrali Sancti Patricii Dublinii, legitime congregati, recolentes multa illa & summa beneficia, quæ communiter cum cæteris subditis vestris percipiunt (veluti sunt puræ religionis exercitium, justitiæ administratio, publicæque pax, in qua omnium bonorum affluentia continetur, &c. multo magis singularem Majestatis vestræ Zelum ergo decorem domus Dei, & hæreditariam ipsam munificentiam, qua ordinem Ecclesiasticum, Regia Majestas vestra, paternis insistens vestigiis, prosequitur: non modo Deo Optimo Maximo humillimas pro vobis gratias agendas, & assiduas preces pro Regni vestri tranquillitate fundendas, sed etiam gratitudinem suam aliquo indicio Regiæ vestræ sublimitati testificandam duxerunt, & octo integra & ultroque Subsidia, unanimi consensu, nemine prorsus dissentiente, Regiæ vestræ sublimitati alacriter concesserunt, suppliciter Majestatem vestram rogantes, ut ex affectus largitate, potius quàm rei ipsius tenuitate, hoc officium suum metiatur. Teror vero concessionis prædictæ se habet in hunc qui sequitur modum.

Most gracious and dread Sovereigne, we your Majesties most loyal Subjects, the Prelates, and Clergie of this Church and Kingdom of Ireland, called together out of the severall Provinces of Armagh, Dublin, Cathell, and Tuam, by the authoritie of your Highnesse writ and orderly assembled in a Nationall Synode, or Convocation, being lately dejected and depressed to the lowest degree of miserie and contempt, by the warres and confusion of former times, having our Churches ruined, our habitations left desolate, our Possessions aliened, our Persons scorned, our very lives hourly subject to the bloody attempts of rebellious Traytors. And now by the pietie and bountie of your blessed father, and by the gracious influence of your sacred Majestie, being new enlived, and beginning to lift up our heads out of darknesse and obscurity, doe freely acknowledge to your immortall glory, befoze God and the whole Christian world, That as no Church under Heaven did ever stand more in need, so none did ever finde more Royall and munificent Patrons and Protectors, than the poore Church of

of Ireland. You have not onely made restitution of that which the iniquitie of former Ages had bereft us of: But also as though you intended to expiate their faults, enriched us with new and princely endowments: All which great labours doe yet become more sweet unto us, whilst we entertain them as pledges of your future unexhausted goodnesse: And if we doe not seriously endeavour throughout our whole lives, to make unstained expressions of true loyalty and thankfulness to your sacred Majestie, we deserve to be condemned by men, and punished by God, as monsters of ingratitude. To which infinite obligations, and many others, we may adde your Majesties inestimable goodnesse, in providing for us your present Deputie, Thomas Viscount Wentworth, a Governour so just, careful, provident and propitious to the Church. Wherefore considering the vast expence of Treasure by your Majestie, and your Predecessors, for the protection and establishment of this Church and Kingdom, We the Prelates and Clergie assembled in this Nationall Synode, whose dependance (under God) is wholly upon your Majestie: not as though our weaknesse were able to contribute any thing worthy of the favourable acceptance of so great and puissant a Monarch; but as an exemplarie testimony of our loyall affection: We your said Prelates and Clergie, with a generall and unanimous consent, agreement, and accord, most willingly and readily have given and granted, and by these presents doe give and grant, to your Highnesse, your Heires and Successors, eight entire Subsidies, of foure shillings in the pound, in manner and form following: That is to say, That every Arch-Bishop, Bishop, Deane, Arch-deacon, Provost, Master of Colledge, Prebendarie, Parson, and Vicar, and every other person and persons, of whatsoever name or degree he or they be, within the Realm of Ireland, having and enjoying any Spirituall promotion, or other Temporall possessions to the same Spirituall promotion annexed, now not divided or separated by Act of Parliament, or otherwise, from the possession of the Clergie, shall pay to your Highnesse, your heires and Successors, for every pound that he may yearly receive and dispend, by reason of the said Spirituall promotion, the summe of foure shillings, for every of the said eight Subsidies, and for the true and certain value of all the promotions, and every of them, whereof the payment of these eight Subsidies shall be made, the rate, taxation, valuation, and estimation, now remaining of Record in your Majesties Court of Exchequer, and that hereafter shall come and remain in the same Court, where no former valuation is there of Record already, for the payment of the twentieth part, granted unto King Henry the eighth of worthy memorie, in the eight and twentieth year of his reigne, concerning such promotions as now be in the possessions of the Clergie, shall onely be followed and observed, without making any other valuation, rate, taxation or estimation, than in the said Record is, and shall be respectibely Comprised.

Provided alwayes, That forasmuch as the twentieth part of the said rate & valuation before mentioned, is yearly paid to your Highnesse, so as there remaines onely nineteen parts yearly to the Incumbent cleare: These eight Subsidies of foure shillings in the pound, shall be understood and meant onely of every full pound of the said nineteen parts, and nothing for any other money, not amounting to a full pound. And your Prelates and Clergie do also grant, That these eight Subsidies of foure shillings of the full pound of the nineteen parts of the yearly value of every Spirituall promotion aforesaid, within the said

Kingdom

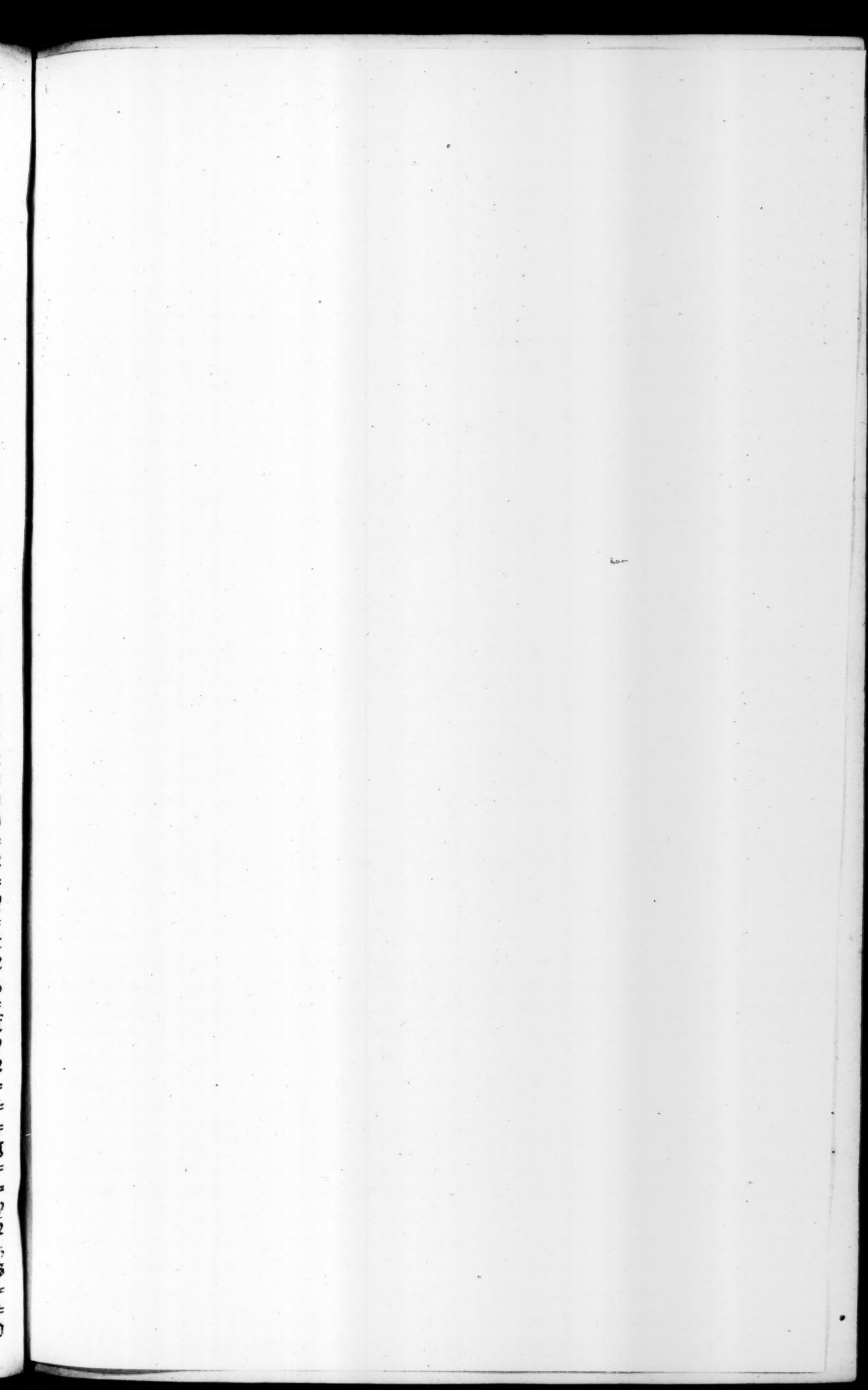




Kingdom, taxed and to be taxed, as is aforesaid, shall be payed to your
 Majestie, your Heires and Successors, in manner and form follow-
 ing: That is to say, The first payment and moietie of the first of these
 eight Subsidies, viz. Two shillings of every full pound, as aforesaid,
 to be due at and upon the first day of Aprill, which shall be Anno domini
 one thousand six hundred thirty five. And the second payment & moietie
 of the first of the said eight Subsidies, viz. other two shillings of every
 full pound, as aforesaid, to be due at & upon the first day of October,
 which shall be Anno domini one thousand six hundred thirty five. And
 the first payment & moietie of the second of the said eight Subsidies, viz.
 Two shillings of every full pound, as aforesaid, to be due at and up-
 on the first day of Aprill, which shall be Anno domini one thousand six
 hundred thirty six: And the second payment and moietie of the second
 of the said eight Subsidies, viz. Two shillings of every full pound, as
 aforesaid, to be due at and upon the first day of October, which shall
 be Anno domini one thousand six hundred thirty six. And the first pay-
 ment & moietie of the third of the said eight Subsidies, viz. Two shillings
 of every full pound, as aforesaid, to be due at and upon the first day of
 Aprill, which shall be Anno domini one thousand six hundred thirty seven.
 And the second payment and moietie of the third of the said eight Sub-
 sidies, viz. Two shillings of every full pound, as aforesaid, to be due
 at and upon the first day of October, which shall be Anno domini one
 thousand six hundred thirty seven. And the first payment and moietie
 of the fourth of the said eight Subsidies, viz. Two shillings of every
 full pound, as aforesaid, to be due at and upon the first day of Aprill,
 which shall be Anno domini one thousand six hundred thirty eight: And
 the second payment and moietie of the fourth of the said eight Subsi-
 dies, viz. Two shillings of every full pound, as aforesaid, to be due at
 and upon the first day of October, which shall be Anno domini one thou-
 sand six hundred thirty eight. And the first payment and moietie of the
 fifth of the said eight Subsidies, viz. Two shillings of every full pound,
 as aforesaid, to be due at and upon the first day of Aprill, which shall be
 Anno domini one thousand six hundred thirty nine: And the second pay-
 ment and moietie of the fifth of the said eight Subsidies, viz. Two shil-
 lings of every full pound, as aforesaid, to be due at and upon the first
 day of October, Anno domini one thousand six hundred thirty nine.
 And the first payment & moietie of the sixth of the said eight Subsidies,
 viz. Two shillings of every full pound, as aforesaid, to be due at and
 upon the first day of Aprill, Anno domini one thousand six hundred and
 forty: And the second payment and moietie of the sixth of the said eight
 Subsidies, viz. Two shillings of every full pound, as aforesaid, to be
 due at and upon the first day of October, Anno domini one thousand six
 hundred and forty. And the first payment and moietie of the seventh of
 the said eight Subsidies, viz. Two shillings of every full pound, as a-
 foresaid, to be due at and upon the first day of Aprill, which shall be Anno
 domini one thousand six hundred forty one. And the second payment
 and moietie of the seventh of the said eight Subsidies, viz. Two shillings
 of every full pound, as aforesaid, to be due at & upon the first day of
 October, which shall be Anno domini one thousand six hundred forty
 one: And the first payment and moietie of the eighth and last of the
 said eight Subsidies, viz. Two shillings of every full pound, as
 aforesaid, to be due at and upon the first day of Aprill, which shall be
 Anno domini one thousand six hundred forty two: And the second and
 last payment and moietie of the eighth and last of the said eight Sul-
 sidies, viz. Two shillings of every full pound, as aforesaid, to be due at

and upon the first day of October which shall be Anno domini, one thousand six hundred forty two. To be delibered and payed by such person and persons, as in this present grant shall be appointed to have the collection thereof, to the Vice-Treasurer, or generall Receiver of this your Realm of Ireland, for the time being, or to such person or persons, and in such place or places as shall please your Highnesse to appoint to be payed, viz. every of the aforesaid payments, which shall be due upon the first day of Aprill, in any of the years aforesaid, to be made at or before the last day of June, then next following every of the aforesaid dayes, in which every of the said payments shall be due. And every of the aforesaid payments, which shall be due upon the first day of October, in any of the years aforesaid, to be made at or before the last day of December next following every of the aforesaid dayes, when the said payments shall be due, without paying any thing to the Receiver, or to any other officer or person to be assigned for the receipt thereof, for any acquittance or other discharge or dispatch upon any such payment or receipt of the said eight Subsidies, or any part thereof, but onely four pence, and that to the Clerk, for writing the acquittance or discharge for every of the said payments.

Provided alwayes, that no person that is or shall be promoted to any Benefice or spirituall promotion, and shall compound with your Majesty, your Heires or Successors, for the first fruits of the same, from the first day of Aprill, which shall be in the year of our Lord God, one thousand six hundred thirty five: And before the first day of October, which shall be in the year of our Lord God, one thousand six hundred forty two, shall be contributory or charged for the same Benefice or promotion, to your Highnesse, your Heires or Successors, with any part of the said eight Subsidies, during the first year, after the time of any such compounding for his first fruits. Item your Highnesse said Prelates and Clergie doe grant, that every Arch-bishop, Bishop, and (the See being void) every Dean and Chapter of that See void, and none other person or persons, shall be Collectors of the said eight Subsidies, within their proper Diocesses, during the time appointed for the payment of the said eight Subsidies. And your said Prelates and Clergie doe most humbly beseech your Majestie, that it may be enacted by your Majesty and your high Court of Parliament, for the speedy payment of the said eight Subsidies, and to avoid delays thereof, That when, and as often as any Collector or Collectors, charged with the Collection of the said eight Subsidies, or of any part of them, or their, or any of their under-Collector or under-Collectors, Deputie or Deputies, or any of them, shall offer the payment of them, or any part of them, to the use of your Majestie, your Heires or Successors, to any person or persons appointed to receive the same, by your Highnesse, or by the Vice-treasurer or generall Receiver, That the said person or persons so appointed, shall within four daies next after such appointment, Receive or cause to be Received, the money so offered, to be paid without any further delay: and deliver one sufficient Bill, testifying the receipt thereof, to the said Collector or his under-Collector or Deputie, upon everie such particular payment. And that everie such Auditor as is or shall be appointed to take or receive the accompt of any such Collector or Collectors, or of their severall Under-Collectors or Deputies, shall within six daies next after request to him to be made, truly and indifferently take the said accompt, and make allowance, as by this grant is appointed, upon pain that everie such person or persons appointed to receive the same summe or summes of money so offered





fered, and everie such Auditor shall loose and forfeit for everie default or delay to be made to the Collector or Collectors, under-Collector or under-Collectors, Deputie or Deputies so offering to make payment and accompt, as is aforesaid, the summe of ten pounds lawfull money of Ireland: the one moyety thereof to be to your Majestie, your Heires and Successors: and the other moyety to the said Collector or Collectors, under-Collector or under-Collectors, Deputie or Deputies so grieved, the same to be paid upon complaint to be made to the said Vice-Treasurer or generall Receiver, or to the Lord Chief Baron of your Majesties Court of Erchequer, who upon such complaint shall presently examine the matter, and finding default, shall commit the offender to Ward, there to remain untill he shall have payed the said severall summes so forfeited. And for the better levying and recoverie of the said Eight Subsidies, your said Prelates and Clergie doe likewise most humbly besech your Majestie, that it may be enacted by your Majestie, and the said High Court of Parliament, in manner and form following: That is to say, That every Collector of the said eight Subsidies, and of every part and parcell thereof, and their lawfull under-Collector and under-Collectors, Deputie or Deputies, may have full power and authoritie to use all such wayes, and meanes, and processe, as be prescribed in the Act of the twentieth part, for the Collection and levying thereof, and may make accompt of the same before the Vice-treasurer of Ireland, for the time being, or generall Receiver of your Highnesse Revenew of this Kingdom of Ireland, or any other Officer by your Highnesse, or your Court of Erchequer, to be appointed for the same, and in such place as your Majestie shall likewise assigne, in such wise, and after such form onely as the said Arch-bishop and Bishops be now charged to make accompt for the said twentieth part, whereby is meant, that the lack and default of payment of and for any spirituall promotion or promotions, shall onely charge such Incumbent or Incumbents, and such others as be bound to pay the same: And that the Arch-bishop, Bishop, Dean and Chapter, gathering that which they can receive, and making payment thereof, shall for the rest, not by them received, be discharged by their Certificate to be made to your Highnesse Court of Erchequer, for every of the aforesaid payments, which shall be due upon the first day of Aprill, in any of the aforesaid years, at or before the last day of June, next following every of the aforesaid dayes, when every of the said payments shall be due: And for every of the aforesaid payments, which shall be due upon the first day of October, in any of the aforesaid yeares, at or before the last day of December, next following every of the aforesaid dayes, when the said payments shall be due: And that six pence of everie pound, wherewith the Collector shall be charged in his accompt, clearely to be paid into the Receipt of your Majesties Erchequer, or into such other place as shall please your Highnesse to appoint, shall be allowed to the said Collector upon his accompt for the same, at everie of the aforesaid severall times of payment, for the charges of the said Collection, portage, safe conveying, and paying of the said eight Subsidies: And moreover that it may be enacted likewise, That after any payment of the said eight Subsidies shall be once due by vertue of this grant, if any Incumbent of any benefice or promotion spirituall, charged to the payment of any of the said eight Subsidies, or any part thereof, being at any time after that the said payments shall be due, lawfully monished, either personally, or at his Dignity, Stall, Church, or Mansion-house, by the Arch-Bishop, Bishop of his Dio-

celle, or his Under-Collector or Under-Collectors, Deputy or Deputies, or by the Dean and Chapter (the *Sæ* being void) or by any of their Under-Collector or Under-Collectors, Deputy or Deputies, authorized in that behalfe, to appear by himselte, or his Deputie, at a certain day and place of convenient distance to the said Incumbent, then to be signified and prefixed, and then and there to pay such part of the said Eight Subsidies for his Benefice or promotion Spirituall, or the whole, as then by vertue of this grant shall be due: do not either at the same day & place so to him signified and prefixed, truly content and pay, or cause to be contented & paid, such payments of the said eight Subsidies, as then by him shall be due to be paid unto the same Arch-Bishop, or Bishop or to his Under-collector or Under-collectors, Deputie or Deputies, or to the Dean and Chapter of any *Sæ* being void, or to their Under-collector or Under-collectors, Deputie or Deputies, or to one of them, shewing sufficient deputation from the said Arch-Bishop, Bishop, or Dean and Chapter, under his or their Seal in that behalfe, being ready at the said day and place so signified and prefixed, to receive any payment of the said eight Subsidies then due, and openly demanding the same, or else pay every of the payments of the said eight Subsidies, given by this grant within fifty daies next after any such prefixed dayes of warning, at the furthest, (so that open demand be made of everie of the said payments of the said eight Subsidies, in, and at the said day and place before prefixed) that then everie Incumbent, so making default of any of the payments aforesaid, which shall be due from him for any of the parts of the said eight Subsidies, as aforesaid: after such default thereof certified into your Majesties Exchequer in writing, under the Seal and hand-writing of any Arch-Bishop, or Bishop, or the Common Seal of the Dean and Chapter, (the *Sæ* being void) charged with the Collection of the said eight Subsidies, or of any part of them, so that the said Certificate shall be made according to the form hereafter expessed and exhibited into your Majesties said Court of Exchequer, viz. for everie of the aforesaid payments of the said eight Subsidies, which shall be due the first day of April, in any of the aforesaid years, at or before the last day of June, next following everie of the aforesaid dayes, when everie of the said payments shall be due: And for everie of the aforesaid payments which shall be due upon the first day of October, in any of the aforesaid yeares, at, or before the last day of December, next following everie of the aforesaid daies, when the said payments shall be due, as aforesaid: Shall forfeit and loose unto your Majestie, your Heires and Successors, all the profits which of that onely Dignity, benefice, or promotion, for the which he maketh such default of payment, and wherefore such certificate shall be made, shall come, grow and arise unto him, ober and above the charges of serving the cure, and the true and annuall twentieth part due to be paid out of his living, in one whole year next after such certificate made and delivered unto your Highnesse Court of Exchequer, and there admitted, in case the same Incumbent shall so long live, and that every such Certificate of any such default of payment, shall be made according to the tenor and effect ensuing, *mutatis mutandis*. Honorabilibus & egregius viris vice-theaurar' & Baronibus de Scaccario illustrissimi Domini nostri Caroli, Dei gratia Angliæ, Scotiæ, Franciæ, & Hiberniæ Regis, fidei defensor' &c. vester humilis I. permissione divina A. Episcopus, autoritate & vigore cujusdam Actus Parliament' Anno Regni dicti Domini Regis decimo, editi & provisi ad colligendum & levandum octo Subsidia, eidem Domino Regi in eodem Parlamento per Prelatos & Clerum totius Hiberniæ concessa, viz. pro prima solutione primi Subsidii solvend' primo die Aprilis ultim' præterit' infra diocesyn nostram, A. deputat' & autorizat' omnimodam reverentiam tantis viris debitam cum honore vesti' Reverentiss

harum ferie annuncio & certifico me præfat' Episcopum (modo quo profertur) deputat' & authorizat' fufficien' & cum omni diligentia requiſiſſe per N. O. ſubcollectorem, ſeu deputat' meum in hac parte, de quovis beneficio & promotione Eccleſiaſtica, in quadam ſchedula præſentibus annexa, ſpecificat' ſummas dictæ primæ ſolutionis dicti Subſidii, pro dictis beneficiis & promotionibus debit' & ſolvend' dicto primo die Aprilis ult' præterit', prout in eadem ſchedula præſentibus annexa, plenius liquet & apparet: Sed dictas ſummas ex cauſis in eadem ſchedul' allegatis, recipere non potui. In cujus rei teſtimonium, ſigillum meum præſentibus appoſui, dat' die Mentis Anno Domini

The form of which Schedul abode

mentioned enſueeth. Civitas D. vel decanat' de A. B.
 Rector vel Vicar' ibidem monitus fuit apud prædict' die
 ultimo præterit' per ſubcollectorem
 ſeu deputat' meum, ad ſolvend' apud Eccleſiam de in Com'
 die prox' ſequen' ſolutionem, ſive illam partem dicti Subſidii per ipſum debitum primo die Aprilis ultimo præterit' pro promotione ſua prædict'. Sed prædictus A. B. nec apud Eccleſiam de præd' eodem die nec alibi per quinquaginta dies, poſtea ſumam per ipſam debitam, ut profertur, ſolvit vel ſatiſfecit, neque dict' ſumam de præſentibus dict' promotionis, nec de bonis & catallis dict' aliquo modo levare ſive recipere potui.

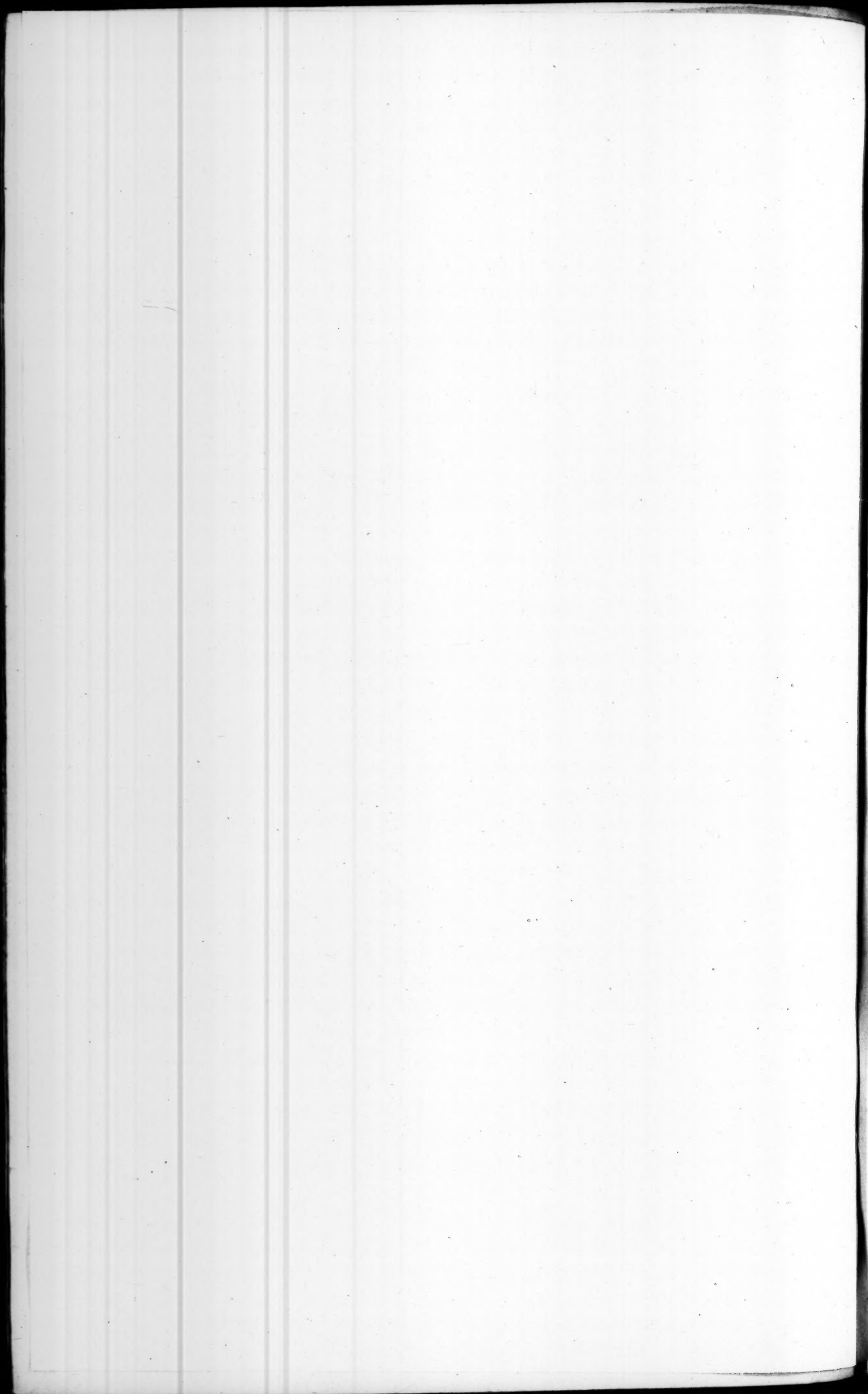
Provided allwaies, that if any perſon or Incumbent, chargeable by this Act or grant, to any payment of the ſaid eight Subſidies, or any part thereof, ſhall proffer or tender any payment of any ſumme due to the Arch-biſhop, or Biſhop, or to the Dean and Chapter, where the See is void, or to any Under-Collector or Under-Collectors, Deputie or Deputies of any Arch-Biſhop, Biſhop or Dean and Chapter aforeſaid, at any time before the certificate exhibited into the Exchequer as is aforeſaid: That then notwithstanding the Certificate made, as is aforeſaid, againſt any ſuch perſon, the ſaid Incumbent or perſon againſt whom the Certificate was ſo made, ſhall or may averre the offer or tender of his payment, as is aforeſaid: And the ſame ſhall be tryed either by ſufficient witneſſes before the Vice-treaſurer or Barons of the Exchequer, or by the tryall of twelve men upon any iſſue thereupon to be joyned betwixt the ſaid Incumbent, and any other perſon and perſons, that he, or any for him did offer or tender payment of the ſumme due, as aforeſaid: which being found for the Incumbent, then every ſuch Incumbent ſhall have & enjoy his promotion or promotions ſtill, without forfeiture or loſing to your Maieſtie, your Heires or Succeſſors, any the profits thereof, and as though no Certificate or default of any ſuch payment had been made or exhibited: Any thing in this preſent grant or Act to the contrary notwithstanding.

And further, that it may be enacted likewise, that every Arch-Biſhop and Biſhop, and Dean and Chapter of every See vacant, and other perſons chargeable to and with the Collection of the ſaid eight Subſidies, ſhall and may have upon every payment of the ſaid eight Subſidies made to the Vice-treaſurer or generall Receiver of Ireland for the time being, or to ſuch other perſon or perſons in place and places, to whom and where it ſhall pleaſe your Highnes or Court of Exchequer, to appoint for the receipt thereof at every of the aforeſaid times of payment, a ſufficient acquittance, diſcharge, or Quietus eſt in writing of the aforeſaid Vice-treaſurer, or generall Receiver, or ſuch other perſon or perſons, as either your Highnes, or your ſaid Court of Exchequer ſhall aſſigne for the receipt thereof: The ſame acquittance, diſcharge, or quietus eſt, witneſſing the receipt of ſo much of the ſame ſumme of the ſaid eight Subſidies, as ſhall be ſo received, and every ſuch acquittance, diſcharge, or quietus eſt in writing, ſubſcribed with the name or names

names of the Vice-treasurer, or Receiver generall for the time being or of such Auditor, or other person or persons as it shall please your Highnesse, or your said Court of Exchequer to appoint for the same receipt, shall and may be good and effectuell in the law, and be also a sufficient discharge to all and every of the said Collectors, to all such intents, constructions, and purposes, as if the same were made by Act of Parliament. And that every of the said Collectors shall pay but onely three shillings foure pence Irish for every generall or finall acquittance, discharge, or quietus est, for every payment of the said eight Subsidies. And if any person so assigned shall refuse or delay to make such a generall or finall acquittance, discharge, or Quietus est, for any payment of the said eight Subsidies, or shall require or take for the same any more than three shillings foure pence Irish: Or if any other Officer of the Exchequer shall require and take of any Collector or Collectors, or of his or their under-Collector or under-Collectors, Deputie or Deputies, in respect of the collection, payment, or accompt of the said Eight Subsidies, or any part thereof, or for Expedition, or for any other cause or pretence whatsoever concerning the same, any fees or summes of money, other than are before in this present grant expressly allowed unto them, shall forfeit the summe of Ten pounds of lawfull money of Ireland, to be paid and recovered in like manner, and to the same use as is before limited and expressed in this Statute, touching the like forfeitures of Receivers and Auditors: And also that every particular acquittance, which upon any payment of the said eight Subsidies shall be made by any Collector or Collectors of the said eight Subsidies, or of any payment of them, or by his or their under-Collector or under-Collectors, Deputie, or Deputies in that behalfe, to any Incumbent of any Benefice or promotion spirituall, or to any person or persons contributarie or chargeable to and with the said Eight Subsidies, or any part or payment of them, shall be good and effectuell in Law, and a full and sufficient discharge to every such Incumbent, and other person, and his Benefice and promotion spirituall, of and for all other such sum and summs of money, as by the same acquittance shall be acknowledged to be received in respect of the same Benefice or promotion for any part of the said eight Subsidies: And that no acquittance of any other person or persons made before such certificate shall in any wise discharge any person or promotion, for any part or payment of his said eight Subsidies, nor of any pain, penaltie or forfeiture specified in this grant. And to the intent it may be knowne to the Court of Exchequer, who be the under-Collector or under-Collectors, Deputie or Deputies of every such Arch-Bishop, Bishop, or Dean and Chapter, authorized to receive the same, and to make acquittance thereof every Arch-Bishop, Bishop, and Dean and Chapter of any See being void, shall yearly, together with their certificate aforementioned, certifie the names of every the under-Collectors or Deputies to be appointed, as is aforesaid.

Provided alwaies, that no Collector of the said eight Subsidies, or of any part of them, shall use any procelle, or compulсарie meanes, or exact any fees or summes of money for the same, or otherwise, of any person, for not paying the said eight Subsidies, or any part thereof, at such certain day and place as shall be by the Collector, or his under-Collector or Deputie prefixed, in case the said person shall tender the same unto the Collector, or his under-Collector or Deputie, within twentie dayes next after such prefixed day: And that the said Collectors shall not by themselves, or any others, take of any person for the receipt





ceipt of any severall paiments of the said eight Subsidies, and for his acquittance thereupon, any more than four pence sterling, by any colour or pretext whatsoever. Provided alwaies, that no spirituall promotions, nor any lands, possessions, or revenues annexed to the same, being charged by this grant, or anie goods or chattels, growing, being, or remaining upon the same, or elsewhere appertaining to the owners of the spirituall promotion, or to anie of them, shall be charged or made contributarie to any other Subsidie already granted to your Highnesse by the Laitie, or hereafter to be granted, during the time appointed by this grant, for the paiment of the said eight Subsidies.

Provided also, that all Deans, Archdeacons, Dignities, Masters, Wardens and Prebendaries of all Cathedral and Collegiate Churches and Colledges, or any of them, shall be charged with these eight Subsidies, for those possessions, revenues, and promotions onely, which to their severall promotions, dignities and rooms are clearly and distinctly limited, and to their onely use severed, thereof to pay the twentieth part, being deducted for everie and each of the said eight Subsidies, four shillings of everie full pound in manner and form as is above rehearsed: And that all those rents, possessions, profits, portions, hereditaments, and spirituall promotions, and everie of them heretofore by your Highnesse, or any of the Kings or Queens of this Realm, or any other person or persons whatsoever, given, granted, bequeathed, devised, or impropriated unto the said Cathedral or Collegiate Churches or Colledges, or to any of them which any waies be assigned, imployed or used, either for or towards the yearly maintenance of Readers of Divinitie, poore men, Schoole-masters, Uibers, Grammarians, Pettie-Canons, Conducts, Vicars-Chorall, Singing-men, Choristers, Virgers, Sextons, or of anie other necessarie or daily Officers or Ministers in such Cathedral or Collegiate Churches or Colledges, or any of them, or for or towards the repairing or re-edifying of any of the same Cathedral or Collegiate Churches or Colledges, shall not be charged with any part of these eight Subsidies: The certainty of which portions as well chargeable to these eight Subsidies, as not chargeable, in this behalfe, the Arch-bishop, or Bishop of the Diocesse, or (the See being void) the Dean and Chapter, or any other to whom the same shall or may appertain, upon due search and examination, shall certifie under his or their Seals, into your Highnesse said Court of Exchequer, at or before the severall dayes aforesaid, appointed for the payment of the said eight Subsidies. Provided alwayes, that every Parson, Vicar, or other spirituall person, paying any pension, whereof no allowance is made in the valuation of his promotion or benefice, shall and may retain to his owne use and reliefe, so much of every pound of every such pension for every paiment of the said eight subsidies, as he standeth charged by this grant to pay, for every part and payment of the said eight Subsidies out of every pound, for the whole valuation of his spirituall promotion: Any covenant, grant or bond to the contrary notwithstanding. Provided also, that these eight Subsidies granted by the Clergy, or any part of them, or any of them shall not be demanded or levied out of the house of Students, or Colledge called Trinity Colledge, situate in or near unto the City of Dublin, or out of any Hospitall, Almshouses, or Grammar-schools, or of any Church benefice, or other revenues to the said Colledge, Hospitals, Almshouses, or Grammar-schools, or to any of them, annexed, appropriated, or otherwise appertaining.

And

And for the sure and true payment of the said eight Subsidies granted by your said Prelates and Clergie, according to the tenor, purport, effect, and true meaning of this present grant, your said Prelats and Clergie most humbly desire your Highnesse, that this their said gift, grant, and eight Subsidies, and every matter, summe of money, petition, clause, provisions, reservations and sentences in this Instrument contained, concerning the said eight Subsidies, may be ratified, established and confirmed by authority of your Highnesse Court of Parliament, In quorum omnium & singulorum premisorum licem & testimonium, nos *Jacobus* Archiepiscopus *Arm. chanus*, totius Hibernie Primas antedictus, has preerites Literas nostras testimoniales, sive hoc presens publicum instrumentum ad humilem rogatum Prelatorum & Cleri predicti, Sigilli nostri appensione ac signo, nomine & subscriptione *Johannis Forib* Armigeri, notarii publici, jussimus & fecimus communiri. Dat' vicetimo sexto die instant' mensis Julii, Anno Domini millesimo sexcentesimo tricesimo quarto, Regnique vestri felicissimi, scilicet, Anglie, Scotie, Francie, & Hibernie, decimo, &c.

Wherefore for the sure & true payment of the said Subsidies, granted by the said Prelates and Clergie according to the tenor, effect, and true meaning of the said Instrument: Be it enacted by the Kings most excellent Majestie, with the assent of the Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, and by the authority of the same, That the said gift, grant, and every matter, summe of money, petition, provision, clause and sentence in the same Instrument contained, shall stand and be ratified, established and confirmed by the authority of this present Parliament.

And further be it enacted by the authority aforesaid, That every person that shall be appointed to the collection and gathering of the said Subsidies, shall have full power and authority to levie, take, and perceive the said Subsidie, by the authority of the censures of the Church (that is to say) by Suspension, Excommunication, or Interdiction, and also by sequestration of the fruits and profits of their Benefices and promotions spirituall, in whose hands soever they be, and to make Sale of the said fruits, without danger of the Lawes of this Realm, or by distresse upon the possessions of the Farmers & Occupiers of the Lands and Tenements chargeable by the said Instrument, for or to the payment of any summe or summs of money to be due by force thereof, or otherwise by the discretion of the Collector thereof. And that no replevin, Prohibition, or Superedeas shall be allowed or obeyed, for any Persons making default of the Payments of the said Subsidies, or any of them, contrarie to the tenor of the grant thereof, untill such time as they have truly satisfied and contented all such Parts and Portions as to them in that behalf appertaineth. And that every such Farmer and Farmers, their Executors and Assignes that shall fortune hereafter to be charged to or with the payment of the said Subsidies, or any Part thereof, shall by the authority aforesaid, be allowed, and retain in his hands, as much of his yearly rent and farm, as the summe which he shall fortune to pay for his Lord or Lessor shall extend unto, except that the said Farmer or Farmers, their Executors or Assignes, by the Lease and grant that they have of any Part of the Lands, tiths, Profits, or Tenements, chargeable to the said Subsidie or by force of any Covenant or Article therein contained, be bound and charged to pay the same, and thereof to discharge the Lessor and Land-lord during the term mentioned in the said lease.

And likewise, Be it enacted by the authority of this present Parliament, that whereas divers Curates, lyable to these Subsidies being oftentimes removeable, doe serve as well in divers impropriations belonging





longing to the Kings Majesty, as in other spiritual Promotions belonging to other Persons: That for the speedy recoverie of the said Subsidies, it may be lawfull to the said Collector or Collectors of the said Subsidies, their Deputie or Deputies, to levie the said Subsidies upon the Farmer or Farmers, or occupiers of all such impropriations, or spirituall Promotions by all censures of the Church aforesaid, and recoverie of them, or by way of distresse of Tithes of the said impropriation and impropriations and spirituall promotions, or otherwise upon the goods and Chattels of the said Farmer or Farmers, and occupiers: In which case no inhibition, Prohibition, replevin, or other Procelle awarded to the contrary shall be obeyed, any lawes, statutes, Priviledges, or customs to the contrary hereof, heretofore made, granted, or used, or hereafter to be made, granted, or used to the contrarie in any wise notwithstanding. And that it may be lawfull to the Collector and other Officers and Ministers of such Arch-Bishop, Bishop, Deane & Chapter, for not payment of the said Subsidies, after the same shall be due, in or at any of the said times of Payment, to Prize and value the said distresse and distresses, by two indifferent neighbours by him to be chosen, and the distresse and distresses, so Prized, to sell, and thereof to detain so much money as shall amount to the summe payable to the Kings Majestie, with the reasonable charges also of the said Collector sustained in that behalfe, and the rest of the money made of the said Distresse to be delivered and payed to the owner and occupier thereof.

Provided alwayes, and be it enacted by the authority aforesaid, that every Lay person, having spirituall Promotion, chargeable by this Act and also temporall Possessions, goods, chattels and debts, charged to the Subsidies granted in this Parliament by the Temporalitie, shall be taxed, charged, and set for the spirituall Promotions with the Clergie, and his temporall Possessions and chattels reall, with the Temporalitie, and not otherwise: any thing before mentioned to the contrary notwithstanding.

Sacuta, Ordinationes, Actus & Provisiones, in Parlamento predicto apud Castrum Dublin, predicto die Martii, viz. vicesimo quarto die Martii, Anno Regni dicti Domini Regis Caroli decimo, coram prelato Deputato suo similiter tento, & ibidem continuato usque ad decimum octavum diem Aprilis, tunc proxime sequentis, ac etiam eodem decimo octavo die Aprilis determinato, finito & dissoluto, edita in hæc verba.

CAP. I.

An Act to prevent and reforme prophane Swearing and Cursing &c.

FOrasmuch as all Prophane Swearing and Cursing is forbidden by the Word of God: Be it therefore enacted by the authority of this Present Parliament, that no Person or Persons shall from henceforth prophanelly swear or curse: And that if any person or persons, shall at any time or times hereafter offend herein, either in the bearing of any Justice of Peace of the Countie, or of any Maier, Justice of Peace, Bailiffe, or any other head Officer of any City or Towne Corporate where such offence is, or shall be committed, & shall thereof be convicted by the oaths of two witnesses, or by confession of the Party before any Justice of the Peace of the Countie, or head Officer, or Justice of the Peace, in the City or Towne Corporate, where such offence is, or shall be committed, to which end every Justice of the Peace, and every such head Officer, shall have Power by this Act, (to minister the same Oath) That then every such offender, shall for every time so offending, forfeit and pay to the use of the poore of that Parish, where the same Offence is or shall be committed, the summe of Twelve pence.

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And

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Jac. Cap. 20

And it shall also be lawfull for the Constables and Church-wardens, or any one of them, by Warrant from such Justice of Peace, or Head-Officer, to levie the same sum or summs of money, by distresse & sale of the offenders goods, rendring to the party the over-plus: and in defect of such distresse, the offender, if he, or she be above the age of twelve years, shall by warrant from such Justice of the Peace or Head-officer, be set in the stocks by three whole houres. But if the offender be under the age of twelve yeares, and shall not forthwith pay the said summe of twelve pence, then he, or she, by the warrant of such Justice of Peace or Head-officer, shall be whipped by the Constable, or by the Parents, or Master, in his presence.

And be it further enacted, That if any such offender shall commence any suit in law against any Officer or other, for such distraining, sale of goods, whipping, or setting in the Stockes, the defendant or defendants may plead the generall issue, and give the speciall matter in evidence to the Jury at the tryall, and if it be found against the Plaintiff, or that the Plaintiff be non-suit, the defendant or defendants shall be allowed good costs, to be taxed by the Court. Provided neverthelesse, that every offence against this law, shall be complained of, and proved, as abovesaid, within twenty dayes, after the Offence committed.

And it is also enacted, That this Act shall be read in every Parish Church, by the Minister thereof, upon the Sunday after the Evening Prayer, twice in the year.

CAP. II.

An Act to enable restitution of Improprations, and Tithes, and other Rights Ecclesiasticall to the Clergy, with a restraint of aliening the same: And direction for Presentations to the Churches.

FOR the due maintenance for such as shall teach and instruct the People in the worship of God, and the better to enable them to keepe hospitallity, and relieve the Poore: Be it enacted by the King our Sovereigne Lord, and the Lords Spirituall and Temporall, and Commons in this present Parliament assembled, and by the authority of the same, That it shall and may be lawfull from henceforth, for all and every person and persons, of full age, sane memorie, and not Covert Baron, and for all and every bodie politique and corporate, of or within this Realm, which are seized of any Appropriations of any Parsonages, Rectories, Vicarages, or other Benefices Ecclesiasticall whatsoever, or of any Glebe-lands, Tithes, portions of tiths, pensions, Oblations, or Rights heretofore Ecclesiasticall, of any estate of Inheritance, in possession, reversion, or remainder, or in use, freely out of their devotion, or otherwise at their pleasure, upon any other reasonable ground or contract, without any licence of alienation, or licence to alien in mortmaine, to restore, dedicate, give, devise, limit or convey the same, or any part thereof, for the better maintenance of the Ministers of Gods holy Word and Sacraments, either by his or their Deed or Charter, under his or their respective Seale or Seales, made and delivered in the presence of three or more sufficient witnesses, or by their respective last will in writing, made and published in the presence of like number of sufficient witnesses, unto any the parson or Vicar of the said parish or parishes immediatly, and to his Successors, if any such be endowed within the said parish, where the said Appropriation, Glebe-land, Tiths, or other the said premisses, are or doe lye, arise, or grow: or if there be no such parson or Vicar endowed within such parish, then to the Arch-bishop of that province, or Bishop of that Diocese,



celle, and to their, or any of their Successors, in trust unto and for the use of such Minister as shall serve the Cure in the said parish, untill there shall be a Rector, parson, or Vicar of the said parish there established, and then to the sole use of the Rector, parson, or Vicar of the said parish, and of his Successors for ever: such use and trust to be expressed and contained in such Deed, Charter, or last Will, or otherwise in some writing, under the Seals of such person and persons, who shall give, limit, or devise the same. And it is hereby enacted, that immediately from and after such Deed and writing made, as aforesaid, and after the deaths of such Testators or Devisors, who shall make such Will, as aforesaid, respectively, The said parson or Vicar, and his Successors, to whom such grant, limitation, or devise shall be immediately made and the said Metropolitane, Bishop or Bishops, and their Successors, unto whom such parsonage impropriate, Glebe-Lands, Tithes, or other the premises shall be granted, bequeathed, or limited by such Deed, Charter, Will, or writing, upon such trust, or to such use, as aforesaid, shall stand and be seized thereof, to them and their Successors for ever, respectively, of an absolute and indefeasible estate in fee simple: The Statute concerning Lands aliened in Mortmaine, or any other Law or Statute, or other matter or thing whatsoever to the contrary thereof in any wise notwithstanding.

And the true intent of this present Act further is that if within the parish, wherein the said Appropriations, Glebe-Lands, Tithes, or other the premises, are limited by the said Donors, or Devisors, to be employed for the maintenance of any such Minister of the Word of God as aforesaid, there be no parson or Vicar endowed, that then it shall be lawful unto and for the Ordinarie, and Metropolitane of that Diocesse, after that there shall be Glebe-lands, tithes, or other the premises amounting to the full third Part, or more, of all the Profits of the entire impropriation limited as aforesaid, by their writings under their Archiepiscopall and Episcopall Seales, to ordaine, constitute, and appoint one sufficient Minister, or Clerke, learned in the Word of God, to be Parson, or Vicar of the said Parish, in a perpetuall succession to him and his Successors for ever, and shall cause him to be admitted, instituted, and inducted, as Parson, and Rector or Vicar, thereunto: which said ordination, constitution and appointment, institution and induction, shall within convenient time after, be all of them inrolled in his Majesties Court of Exchequer, at the costs of the said new ordained Parson, or Vicar, immediately from and after the enrollingment whereof, the said Parson or Vicar so ordained, instituted, and inducted, shall be, and in Law shall be accounted, accepted, and taken to be Parson, or Vicar of the said Rectorie, Church and Parish, to him and his Successors for ever, in a perpetuall succession, to all intents and purposes. And then and from thenceforth also, shall have, and by vertue of the said conveyances and limitations, and by vertue of this Act, shall be, and become estated and seized to him and his Successors for ever, of, and in all and every the said Parsonage, or other Benefice, Appropriation, Glebe-Lands, Tithes, and premises before conveyed and estated, or otherwise limited, as aforesaid, in trust unto the said Archbishopps, or Bishops, for the maintenance of a Minister of a good, sure, absolute, and indefeasible estate in fee simple, as Parson, and Rector, or Vicar of that Church and Parish.

And be it likewise further enacted by the authority aforesaid, That at all times, and from time to time hereafter, it shall and may be lawful unto, and for all and every person and persons whatsoever, being

of full age, sane memorie, and not Covert Baron, and to and for all and every bodies politique and corporate, who shall be seized of any estate of Inheritance, in possession, of and in any Parsonages, Vicarages, and other Benefices appropriate within this Realm of Ireland, by his or their writing or writings, under their respective seales, to present a lawfull and sufficient Clerke for such Parsonage, Vicarage, or other such Benefice appropriate unto the Ordinary, or Metropolitane of the Diocesse where such Parsonage, Vicarage, or Benefice appropriate is and doth ly: And that upon such presentation, such Ordinarie or Metropolitane shall admit such Clerke so presented, and him institute, and cause to be inducted into the said Church and Benefice. All which said presentation, admission, institution, and induction, shall be entred and enrolled in the said Court of Exchequer, at the charge of the Parson so presented (or of the said party who so presented him, if he so please.) And that immediately from and after such presentation and institution, so made and enrolled, the said Appropriation shall be for ever dissolved, and the said Rectorie, Vicarage, (or other Benefice, or Living whatsoever it be) disappropriate, and thenceforth for ever shall be, and shall become Presentative by the Donors thereof, their Heires, Successors, and Assignes, in such manner and form, as other Churches presentative are by other Patrons, when and so often as the same shall become void by any waies or meanes, Any Law, Statute, Custome, or other thing whatsoever to the contrarie hereof notwithstanding. Saving to the Kings Majestie, his Heires and Successors, and to all and every other person and persons, bodies Politique and Corporate, their Heires and Successors, (other than the said Donors and Devisors of any such Appropriation, Glebe-lands, Tithes, or other Hereditaments, formerly Ecclesiasticall, or of any of them, and their Heires and Successors, and other than such person and persons, and bodies Politique and Corporate, who shall make such presentations, as aforesaid, to the said Benefices appropriate, and to their Heires and Successors, and other than all and every other person and persons, Bodies Politique and Corporate whatsoever, their Heires and Successors, claiming any estate, title, or interest, in the remainder, or reversion, of, or in the same, after the estate or estates of such Donors, Devisors, or Presentors, ended and determined, and other than all and every other person and persons seized, or claiming to their, or any of their uses) all such estate, right, title, interest, rent, Pensions, Profits, emoluments, and demaunds, as they, or any of them had therein, or thereto, at and before the time of such restitution, dedication, limitation, gift, grant, devise, conveyance, or Presentation made, as aforesaid, as if this present Act had never been had or made.

Provided alwayes, and be it further enacted by the authoritie aforesaid, That when any such donation, dedication, limitation, or conveyance, shall be made of any Rectorie, Vicarage, or Benefice appropriate, or of any Glebe-lands, Tithes, or other Hereditaments, formerly Ecclesiasticall, or of any part thereof, or of any of them, unto and for the maintenance of any such Minister, as aforesaid, That then if the Parsonage appropriate, or other thing so given, restored, dedicated, limited, or conveyed, be the sole and onely endowment of such Minister in right of the same Church, or if it shall be foure times in yearly value so much, or more, as such Minister, Parson, Vicar, or Beneficer formerly had, and was endowed of in right of the said Church, That then the sole Patronage of such Benefice, shall be, and shall appertaine to such Donor or Devisor, his and their Heires and Successors onely. But

if the same be onely three times so much, then such Donor or Debisor, his and their Heires and Successors, shall have upon the successive aboydances thereof, three Presentations onely, and the former Patron and Patrons, the fourth Presentation. And if but twice as much in pearle value, then the said Donors or Debisors, their Heires and Successors, to have onely two Presentations, and the former Patron, or Patrons, one: And if it be but of equall yearly value, or nere thereabouts, under or ober, then the said Donors or Debisors, their Heires and Successors, and the said former Patrons, to present by turnes, whereof the said Donors to have the first. And on the other side, the like proportion and course to be holden, where the former endowments of such Benefices, shall exceed the yearly value of the Rectories appropriate, Tithes, Glebe-lands, or other Hereditaments, so given, restored, dedicated, limited, or conveyed. The said proportions and rates, of the said endowments, Glebes, Tithes, and Hereditaments, to be made by Commission, to be granted out of the said Court of Erchequer, at the proportionable charge of the said Donors or Debisors, or of their Heires, and of the former Patrons: which being executed and returned into the said Court of Erchequer, shall be peremptorie and finall to all parties.

And whereas in divers places of this Kingdom of Ireland, there are within one Parish both a Parson and a Vicar endowed, and in some Parishes more: Be it enacted by authoritie aforesaid, That in everie such case, it shall and may be lawfull unto, and for the Bishop of that Diocesse, and Metropolitane of that Province, (within which the said Parishes are situate) by their writing under their Archi-episcopall and Episcopall Seales, at any time or times hereafter, to unite and consolidate all and every the said Parsonages and Vicarages so being within one Parish (other then such Parsonages or Vicarages, as are annexed to any Dean, Prebend, or Dignitie, in any Cathedral Church) into one entire Parsonage, or Rectorie, or Benefice. Yet neverthelesse so, that if such Parsonages, and Vicarages, or any of them, be at that time full of Incumbents, That everie of the said Incumbents, shall and may hold and retain to their owne use, his and their respective Parsonages and Vicarages, and all the profits thereof, for so long time as they shall live and continue lawfull Incumbents thereof. And if one or more of such Incumbents doe dye, or otherwise cease, resigne, or be deposed, or deprived from their said Benefices and Incumbencies, that then the said Parsonage, Vicarage, or Benefice, so, or by any other meanes growing void, with the lands, emoluments, and profits thereof, shall survive, remaine, accrue, and grow to the Survivor and Survivors of such the said Incumbents, and after such Survivors, accruing or comming into one hand, shall thenceforth for ever be, continue one whole and entire Rectorie and Parsonage, or Benefice, according to the union and consolidation aforesaid, to such surviving Parson, and his Successors for ever. And that then, and from thenceforth, if there be severall Patrons of the said Benefices, then by like Commission, as aforesaid, to be sued out of the said Court of Erchequer, at the equall charge of the said Patrons, and directed unto two, three, or more sufficient persons, a true and perfect valuation, shall be made of each of the said Parsonages, Vicarages, and Benefices, and if the same appeare to be of equall value, or nere the same, and no one of them to be full double in value to any one of the rest of them, then the said Patrons, whose Clerke did first dye, shall present to the first aboydance of the said Benefice, and the other Patron to the second, and so afterwards the said Patrons, their Heires, Successors, and assignes, shall

shall thenceforth for ever present by turnes. And if it fall out, that any one, or more, of the said united Benefices, prove to be lesse in yearly value, then the fourth part of any other of the said Benefices, that then the Patronage of such smaller Benefices, to be extinct, and the sole advowson and advowsons of the said united and newly consolidated Rectory, or Benefice, to be and remaine unto the other Patron and Patrons solely. And if it fall out, that any one, or more, of the said Benefices (so as aforesaid, united and consolidate in one,) be in yearly value a full fourth part, or more, of the greatest of them, but under the yearly value of the moiety thereof, then the Patron of the said greatest Benefice, to have the two presentations unto the said entire, united and consolidate Benefice, and the Patron and Patrons of the said lesser Benefices, to have one presentation onely in their severall turnes, in manner and form, as is above expressed. And that such Commission and Commissions also so executed and returned, as aforesaid, shall be finall and peremptory, to all and every the Patrons, their Heires and Successors for ever.

And be it further enacted, as aforesaid, That all and every gifts, grants, alienations, leases, forfeitures, charges and incumbrances, imposed, layed, or suffered, by any such Minister, Parson, Vicar, or other Beneficer of such Benefice, or by any Parson, Vicar, or Beneficer of any other Benefice, of what nature soever it be having Cure of Souls within this Kingdom of Ireland, of, or upon his said Benefice, or of, or upon any part thereof, shall be effectuell, and stand in force, for such time only as such Parson, Vicar, or other Beneficer, shall be resident upon his said Benefice, without absence from the same, above eighty dayes in any one year, and for no longer, further, or other time: And that all Covenants, Bonds, Statutes, Merchant, and of the Staple, Recognizances, Judgements, and other assurances whatsoever hereafter to be acknowledged, made, or suffered by any such Beneficer, or collaterally, for, or on his behalf, for the enjoying of the Houses, Lands, Tithes and other profits, or hereditaments, of such Benefices, or of any part thereof, otherwise, or for any longer, or other time, then as aforesaid, or whereby such Beneficer shall be enforced, or compellable to resigne his said Benefice: And likewise all covenants, bonds, and other like assurances, as aforesaid, hereafter to be made, to the intent to force such Beneficer to be resident, for the upholding of any grant, lease, alienation, or charge, made, as aforesaid, and allowed to stand in force, during such residence, as above is expressed, shall be utterly voyd in Law, to all and every intent and purpose whatsoever.

Provided alwayes, that if the Kings Majesty, his Heires, or Successors, upon any plantation hereafter to be had and made within this Realm, shall endow any Parson, or Vicar, and their Successors, with any Glebe-Lands, That in such case the Incumbent thereof, for the benefit of the plantation, may by the Licence of the Lord Deputie of this Kingdom, for the time being, and of the Privy Councell here, make any Leases of such Glebe-Lands, whereof they shall upon such plantation, be newly endowed, not exceeding twenty one years from the time of such endowment made, under such rents, and other reservations, as shall by the Lord Deputy and Councell, be directed.

Lastly, the true intent and meaning of this present Act is, that all and every the Parsons, Vicars, and other Beneficers, whose estates and libelty-hoods shall be made, raysed, enlarged, or encreased, by the wayes and meanes aforesaid, or by any other good meanes, shall be subject unto, and be charged for the repaire of the Chancells of such Churches





Churches, after that the same shall be erected and built.

CAP. III.

An Act for the preservation of the Inheritance, Rights, and profits of Lands belonging to the Church, and persons Ecclesiasticall.

For the preservation and continuance of all and every the Mannors, Lands, Tenements, Franchises, Liberties, Profits, and Hereditaments, unto the Arch-bishops, Bishops, Deanes, and Chapters of the Cathedral and Collegiat Churches, Arch-deacons, Prebendaries, and other Dignitaries Ecclesiasticall, Parsons, Vicars, and likewise unto the Masters, or Governours, and Fellowes of Colledges, and Masters, and Guardians of Hospitalls, according to the true intent and meaning of the Originall foundations thereof, without detriment, spoyle, or prejudice.

En. 8: 13 Cl.
cap: 10.
Eng: 8: 18
Cl: cap: 11.

Be it enacted by our Soberaigne Lord the King, with the assent of the Lords Spirituall and Temporall, and Commons in this present Parliament assembled, and by authority of the same, That all feoffments, Gifts, Grants and Leases, Alienations, Conveyances, Estates, Charges and Incumbrances at any time or times, from and after the first day of June, now last past, made or done, or to be made, done, committed, or suffered, by any of the said Arch-bishops, Bishops, Deanes, and Chapters, Arch-deacons, Prebendaries, or other the said Dignitaries Ecclesiasticall, Parsons, Vicars, Masters and Governours, and Fellowes of Colledges, and Masters, Guardians, or other Governours of Hospitalls, or any of them, of any Mannors, Lands, Tenements, or other Hereditaments, being any parcell of the possessions, of any such Arch-bishop, Bishop, Deane, Deane and Chapter, Chapter, Prebend, Dignitary, Parson, Vicar, Colledge, Cathedral or Collegiat Church, or Hospitall, or any wayes belonging to the same, or to any of them, (other then such Leases and Grants, as hereafter in this present Act, or in any other Act made, or to be made, in this present Parliament, are, or shall be expressed and authorized to be made) shall be utterly voyd, and of none effect, to all intents, constructions, and purposes: Any law, custome, or usage, or other thing whatsoever to the contrary notwithstanding.

Provided alwayes neverthelesse, and be it enacted by the authority aforesaid, That it shall and may be lawfull unto, and for all and every the said Arch-bishops, Bishops, Deanes, Deanes and Chapters, Arch-deacons, Prebendaries, and other the said Dignitaries Ecclesiasticall, and likewise unto and for the said Masters and Governours, and Fellowes of Colledges, and Hospitalls, to grant any ancient office, concerning their, or any of their Land, or other their possessions, or concerning the attendance upon their persons or Churches, together with all and every the like pensions, annuities, fees, & other profits as were formerly accustomed to be granted, had, and enjoyed therewith. And also by their writings indented, under their respective Seals of office, (a counterpart whereof shall be entered in the respective Register-books of the said Arch-bishops, Bishops, Deans, and Chapters, and of the said Colledges, and Hospitalls, for the benefit of Succession) from time to time to demise any the Lands, or other the Hereditaments, belonging to their respective Churches, Colledges, and Hospitalls, (the dwelling-houses for the most part of forty years, now last past used, for any of their respective habitations, and the Demeasne Lands thereunto belonging, and therewithall during the said time commonly used and occupied as the Demeasnes of the said houses onely excepted,) unto any person or persons, for, and during the term of one and twenty years

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years, from the time of the making thereof, whereof or of any part whereof, there shall be no other Lease, or Estate, then in being, which shall not expire or be ended and determined, within the space of one yeare then next comming, upon which Lease and Leases, shall be reserved and continued due and payable unto the said Lessors and their successors, during the said Estate and term of one and twenty years, so much yearly rent or profits, or more, at the perill of the Lessees, who shall take the same, as the moyetie of the true value of the said Lands, or other Hereditaments, (communibus annis) at or immediatly before the time of the making of such Lease, shall amount unto, as the same shall, or may thereafter appeare, either upon a legall tryall between the Successor, or Successors of such Lessors, if they shall question the same, and the said Lessees, or their Assignees, by verdict of twelwe indifferent persons at the Common-Law, or otherwise, by the certificate of foure or more, honest, equal, and indifferent persons, authorized by Commission under the Great Seal of this Kingdome, to enquire and find the same, and the said certificate approved of by the Lord Deputie and privy Councell of this Kingdome, for the time being, which verdict or certificate, so respectibely made or given, shall be peremptory to both parties, and their respective successors, and assignees, during the said Terme, in which Leases, or any of them, shall be contained no power, liberty, or priviledge for such Lessees, or their Assignees, to commit waste, or to be punishable of waste.

Provided nevertheless, that it shall and may be lawfull unto, and for the said Archbishops, Bishops, Deans, Chapters, Arch-deacons, Prebendaries, and other the said Dignitaries Ecclesiasticall, and their successors, and unto the said Masters, and Governours, and Fellowes of Colledges, and Hospitalls, and to their successors, or any of them, by the Licence of the Lord Deputie, or other chief Governour or Governours of this Kingdome, and Councell of State of this Kingdome, for the time being, to make Leases for a longer term or time then one and twenty years, of any their lands or grounds fit for the necessary building of Castles, Fortresses, or other houses of strength, in places convenient & requisite, for the good of this Realm, & the defence thereof, for such term and time, and in such sort as shall be thought fit, by the Kings Majesty, or the Lord Deputy, or other the said chief Governour or Governours of this Kingdome, and Councell of State for the time being. And likewise whereas there are, and of late times hath been sundry fee farms, and long Leases, in being, of divers Mannors, Lands, Tenements, and Hereditaments, formerly belonging to the said Arch-bishops, Bishops, Deans, Chapters, Arch-deacons, prebendaries, and other the said Dignitaries Ecclesiasticall, parsons, Vicars and likewise unto the said Colledges, and Hospitalls, That it shall and may be lawfull unto, and for them, and every of them, for and in consideration of the re-assignment, surrender, and taking in, of any such fee farms, Leases, or Estates, and upon further improvement of the yearly Rents and profits thereof, to be reserved and payed to them and their successors, by and with the licence and approbation of the Lord Deputy, or other chief Governour or Governours, & Councell of State of this Kingdome for the time being, to make any Lease or Leases, for the term of sixtie years or under, of such fee farm lands and of such leased Lands, for the like term, or for fewer years, if the said Leases in being, were for fewer years. And likewise that it shall and may be lawfull unto, and for any the spiritual persons, Colledges, and Hospitalls, before mentioned by their like writings indented, sealed, entered,

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entred, and enrolled, as aforesaid, to make any Lease or Leases, for and during the term of forty years under the like valuable rent, as is afore expressed, of all or any their houses belonging to their Churches, Colledges or Hospitals, & of the Curtillages appertaining to the same, which are situate within any City, Towne-Corporate, or Market-Town of this Kingdom, so as the same be not of any their mansion or dwelling-houses, or of any part thereof, or of any the Curtillages, Gardens, or Orchards belonging thereto.

And be it enacted as aforesaid, That all and every the Rents and yearly profits above reserved, or in and by this Act limited and appointed to be reserved upon the making of all and every the Leases above-mentioned, immediately from & after such Lease & Leases, reservation and reservations made, shall by vertue of this Act, continue due, and payable unto the said Lessors, and their successors, during the said respective Leases and Termes, and shall by no means be aliened, released, or discharged, to the prejudice of the successors of such Lessors, or any of them.

Provided alwayes, That this Act, nor any thing therein contained, shall not restrain the most Reverend Father in God, James Lord Archbishop of Armagh, Primate and Metropolitane of all Ireland, but that he may make such Leases, and for such termes as are mentioned in his Majesties Letters patents to him heretofore granted in that behalf: Any thing in this Act contained to the contrary, notwithstanding.

CAP. IV.

An Act for the erecting of houses of Correction, and for the punishment of Rogues, Vagabonds, sturdy Beggars, and other lewd and idle persons.

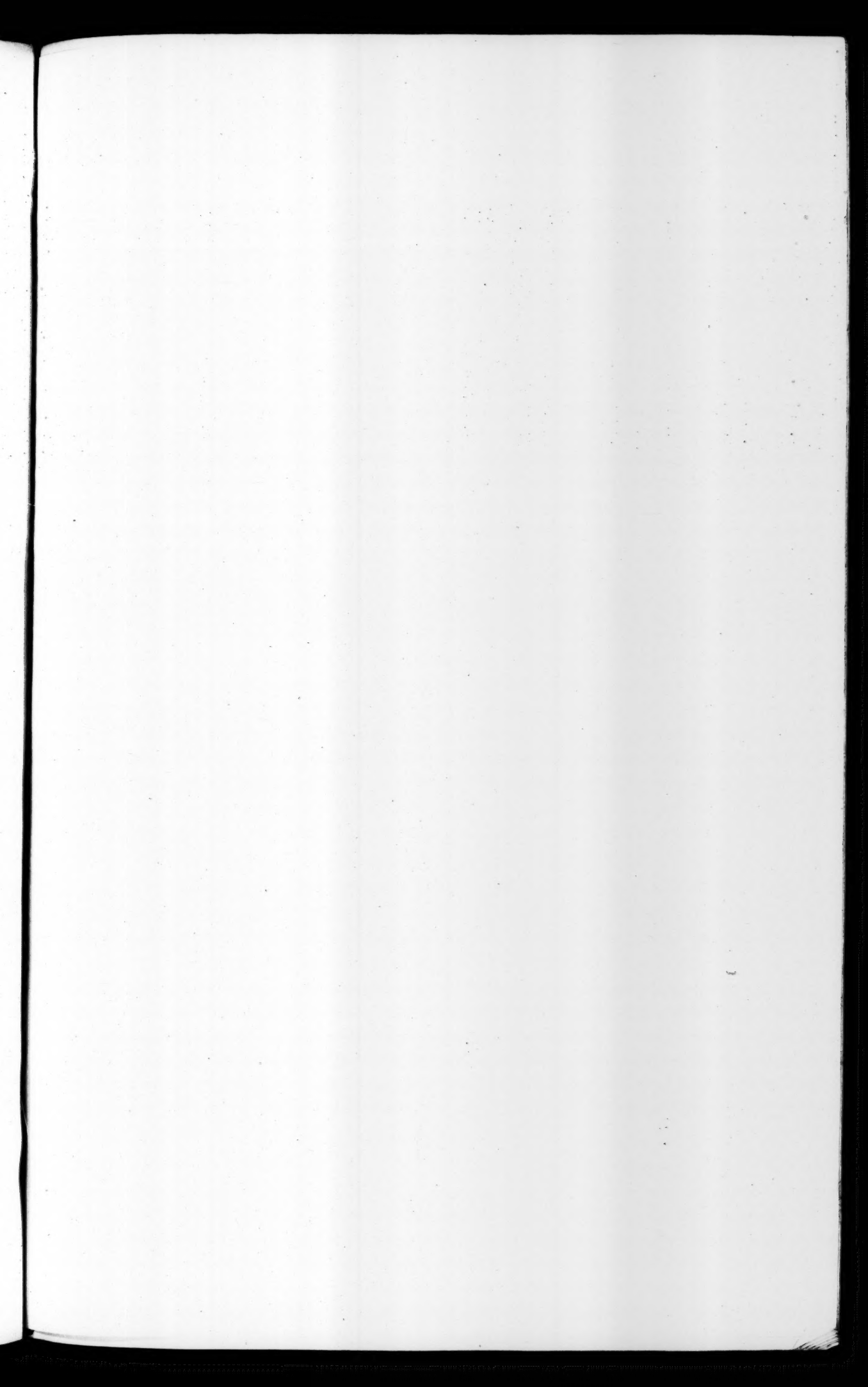
FOR the better suppressing of Rogues, Vagabonds, and other idle and disorderly persons, Be it enacted by our Sovereign Lord the Kings Majesty, and by the Lords Spirituall and Temporall, and by the Commons of this present Parliament assembled, and by the authority of the same, That before the Feast of St. Michael the Arch-angel, which shall be in the year of our Lord God, on thousand six hundred thirty six, there shall be erected, built, or otherwise provided within every County of this Realm of Ireland, one or more fit and convenient house, or houses of Correction, with convenient back-side thereunto adjoining, together with Mills, working-Cards, and other necessary Implements, to set the said Rogues and other idle and disorderly persons on work. The same houses to be built, erected, or provided in some convenient place, or Town, in every County, which house shall be purchased, conveyed, or assured unto such person or persons as by the Justices of Peace, or the most part of them, in their Quarter-Sessions of the Peace, to be holden within every County of this Realm of Ireland, shall be thought fit, upon trust to the intent the same shall be used and employed for the keeping, correcting, and setting to work of the said Rogues, Vagabonds, Sturdy Beggars, and other idle and disorderly persons.

And be it further enacted by the authority aforesaid, That if the said house and houses respectively so to be erected, purchased, or provided, shall not be erected, built, or otherwise provided, before the said Feast of St. Michael, that then every Justice of Peace, resident and dwelling within any County of this Realm where such house and back-side shall not be so erected and provided, shall forfeit for his neglect, five pounds sterling, and so for every year which shall ensue after the said Feast of St. Michael, wherein the said house and back-side shall not be

be erected and provided, every such Justice of Peace as aforesaid, shall forfeit five pounds sterling, the one moiety of the said forfeitures to be unto him or them that will sue for the same, by action of debt, bill, plaint or information, in which suit, no protection, essoyne, or wager of Law shall be admitted, and the other moiety thereof to be employed and bestowed towards the erecting, building, procuring, or providing the said houses and backsidcs respectively, & such necessary implements, as aforesaid.

Be it also enacted by the authority aforesaid, That the Justices of Peace in every County within this Realm, or the most part of them, shall have power at any their Quarter-Sessions of the Peace within the said County, to make such orders as to them or the most part of them from time to time, shall be thought fit, for the raising of Money upon the Inhabitants of the said County, for erecting, or providing the said houses, and for the government and ordering of the said houses respectively, or for stocks of money for the setting to work such persons as shall be committed to the same, or for the yearly payment of such Officers, as hereafter by this present Act shall be appointed for Governour or Governours of the said house or houses, and for such other as they shall think necessary to be employed therein. And that the said Justices at their said Quarter-Sessions, wherein they shall make such order for the raising of money, as aforesaid, shall then, and so yearly afterwards nominate and appoint one able and sufficient man, inhabiting in the said County, to be and be called the Treasurer, for the receiving and paying out of such moneys as shall be collected for the said houses, or for the use of them: And the said Treasurer so elected, to continue for the space of one whole year in his Office, and then to give up his charge, with a due accompt of his receipts and disbursements at the Quarter-Sessions, to be holden next after the Feast of St. Michael, every year: in the presence of two Justices of Peace, to such other as shall be from yeare to yeare, successively elected Treasurer. And if any man chosen, as aforesaid, shall refuse to accept or execute the said office of Treasurership, that then it shall be lawfull for the Justices of Peace in their Quarter-Sessions, or in their defaults for the Justices of Assize, at the Assizes to be holden in the same County, to fine the said Treasurer by their discretion, the same fine not to be under Three pounds sterling, which shall be levied by sale of his goods, by vertue of a warrant to be given for that end by the said Justices, to such person or persons, as they shall think fit: which fine so levied, to be to the use, and towards the maintenance of the said house of Correction.

And be it further enacted and established by the authority aforesaid, That the Justices of Peace of every County within the Realm of Ireland, at their Quarter-Sessions of the Peace, to be holden for their several Counties (next after the erecting, providing, or building of the said house, or houses and so from time to time) or the most part of them, shall elect, nominate and appoint, at their will and pleasure, one or more honest fit person or persons, to be Governour or master of the said house or houses, so to be purchased, erected, built, or provided, which person and persons so chosen by vertue of this present Act, shall have power and authority to set such Rogues, Vagabonds, idle and disorderly persons, as shall be brought or sent unto the said house to work and labour (being able) from time to time, for such time as they shall continue and be remaining in the said house of Correction, and to punish the said Rogues, Vagabonds, idle and disorderly persons by





by putting Fetters, or givcs upon them, and by moderate whipping of them; and that the said Rogues, Vagabonds and idle persons, during such time as they shall continue and remaine in the said house of Correction, shall in no sort be chargeable to the Countrey, for any allowance either at their bringing in, or going forth, or during the time of their abode there, but shall have such and so much allowance as they shall deserve by their own labour and work.

And for that it is convenient that the Masters and Governours of the said houses of Correction, should have some fit allowance and maintenance for their travel and care to be had in the said service, as also for the relieving of such as shall happen to be weak and sick in their custody, Be it therefore enacted by the authority of this present Parliament, that the Masters or Governours of the said houses of Correction, shall have such summe of money payd him yearly, as shall be thought meet by the most part of the Justices of Peace within the said County, at their Quarter-Sessions of the Peace, the same to be payed Quarterly before-hand, by the Treasurer aforesaid, during the time that the said Masters or Governours shall be imployed in the said service: The said Master or Governour giving sufficient security for the continuance and performance of the said service, which if the said Treasurer shall neglect or refuse to perform, then the said Master or Governour of the said house of Correction, shall by Warrant from any two Justices of the Peace of the said County, le by such summe or summes of money, as ought to be payd to the said Master or Governour, by distresse and sale of so much of the said Treasurers goods, as the said money which shall be behind, doth amount unto, rendring unto the said Treasurer the over-plus, if any shall remain: and in defect of such distresse, it shall be lawfull for any two Justices of the Peace, as aforesaid, to commit the said Treasurer to the County Gaole of the same County, there to remain without bail or mainprise, untill payment be made of such summs as is behind, to the said Master or Governour. Provided alwayes that before any such Warrant be granted for distraining of the said Treasurers goods, or committing of his body, that it shall appear before the said Justices of Peace, either by confession of the party, or by testimony of two sufficient witnesses, in the presence of the Treasurer, that he hath so much money in his hands, appertaining to the said uses, as may satisfie the said Master or Governour.

And because there shall be the more care taken by all such Masters of the houses of Correction, that when the Country hath been at trouble and charge, to bring all such disorderly persons, as aforesaid, to their safe keeping, that then they shall perform their duties in that behalf: Be it therefore enacted by the authority aforesaid, That if they shall not every Quarter-Sessions, yeeld a true and lawfull account unto the Justices of Peace of all such persons as have been committed to their custody; or if the said persons committed to their custody, or any of them, shall betrouble some unto the Country, by going abroad: or otherwise shall escape away from the said house of Correction, before they shall be from thence lawfully delibered: That then the said Justices shall set downe such Fines and penalties upon the said Masters and Governours, as the most part of them in their Quarter-Sessions shall think fit and convenient, and all Fines and penalties, not herein before limited, shall be payed unto the Treasurer, and accounted for, by the Treasurer aforesaid.

And be it further enacted by the authority aforesaid, That the said

Iustices of Peace of every County, or any two or more of them twice in every yeare at the least, and oftner if there be occasion, shall assemble and meet together, for the better execution of this Statute, and that some foure or five dayes before their assembly and meeting, the said Iustices, or the most part of them, shall by their Warrant, command the Constables of every Barony, Towne, Parish, Willage, and Hamlet, within the said County, or so many of them, as they in their discretions shall think fit, which shall be assisted with sufficient men of the same places, to make a generall priuy search in one night, within their said Baronies, Townes, Parishes, Willages and Hamlets, for the finding out, and apprehending of the said Rogues, Vagabonds, wandering and idle persons, and that such Rogues, Vagabonds, wandering and idle persons, as they shall then find and apprehend in the said search, shall by them be brought before the said Iustices, at their said assembly or meeting, there to be examined of their idle and wandering life, there to be punished according to a Statute made in the three and thirtieth yeare of King Henry the eighth in this Kingdom, against Vagabonds, or otherwise by their Warrant, to be sent or conveyed unto the said house or houses of Correction, within the said County, appointed and prefixed, there to be delivered unto the Master or Governour of the said house, or to his Deputie or Assignee, to be set to labour and work: At which dayes and times of assembly or meeting, so to be held by the said Iustices of the Peace, the Constables of the said Baronies, Parishes, Townes, Willages and Hamlets shall then appear before the said Iustices of peace, at the said assemblies or meetings, and there shall accompt and reckon upon oath in writing, what Rogues, Vagabonds, and wandering and disorderly persons they have apprehended, both in the same search, and also between every such assemblies and meetings, and how many have been by them punished, or otherwise sent unto the houses of Correction, which if the said Constables shall neglect to performe, as also to convey safely all such Rogues, with all other idle or disorderly persons, at the charge of the Constablewick, as by the Iustices of Peace Warrants, shall be sent unto the houses of Correction in the same County: That then they shall forfeit such further fines, paines and penalties, as by the said Iustices of Peace, or the most part of them, shall be thought fit and convenient, not exceeding the summe of forty Shillings for every offence.

And be it further enacted by the authority aforesaid, That all persons calling themselves Schollars, going about begging, all idle persons going about in any Countrey either begging, or using any subtile craft or unlawfull games or playes, or faigning themselves to have knowledge in Whistonomie, Palmestry, or other like crafty Science, or pretending that they can tell Destinies, Fortunes, or such other like phantasticall imaginations, all persons that be, or utter themselves to be proctors, procurers, patent-gatherers, or Collectors for Gaoles, prisons, or Hospitalls: All Fencers, Beare-wards, Common players of Enter-ludes, Minstrels wandering abroad, all Juglers, and wandering persons, and Common-labourers, being persons able in body, using loytring, and refusing to work for such reasonable wages, as is taxed and commonly given in such parts, where such persons doe, or shall happen to abide or dwell, not having living otherwise to maintaine themselves, all persons delivered out of Gaoles, that beg for their fees, or otherwise travaile begging, all such as shall wander abroad, pretending losse by fire, or otherwise, all such as wandering, pretend themselves to be Egyptians, or wander in the habite, forme, or attire

lure of counterfeit Egyptians, shall be taken, adjudged and deemed Rogues, Vagabonds, and sturdy beggers, and shall sustain such punishments, as are appointed by a Statute made in the three and thirtieth yeare of King Henry the eight, chap. 15. in this Kingdome, against Vagabonds, or be otherwise dealt withall, by sending them to the house of Correction in the County where they shall be found, as the Justices of the peace of the said County, or to any one, or more of them, shall be thought fit.

And for that many wilful people, finding that they have Children, have some hope to have reliefe from the Parish wherein they dwell, and being able to labour, and thereby to relieve themselves and their families, doe nevertheless run away out of their Parishes, and leaue their families upon the parish: For remedy whereof, Be it enacted by this present Parliament, and the authority of the same, That all such persons so running away, shall be taken and deemed to be incorrigible Rogues, and endure the paines of incorrigible Rogues: and if either such man or woman being able to worke, and shall threaten to run away and leaue their families, as aforesaid, the same being proved by two sufficient witnesses upon oath, before two Justices of Peace, in the County where they dwell, or whither they run: That then the said person so threatening, shall by the said Justices of Peace, be sent to the houses of Correction, unlesse he or she can put in sufficient sureties for the discharge of the parish, there to be dealt with, and detained as a sturdy and wandering Rogue, and to be delivered by the said Justices, at any of their meetings, or at their Quarter-Sessions, and not otherwise.

And be it further enacted, That if any action of trespassse, or other suit, shall happen to be attempted and brought against any person or persons, for taking of any distresse, making of any sale, or any other thing doing, by authority of this present Act, the Defendant or Defendants, in any such Action or Suit, shall and may either plead not guilty, or otherwise make abowry, cognizance, or Justification, for the taking of the said distresse, making of sale, or other thing doing, by vertue of this Act, alleadging in such abowry, cognizance, or justification, that the said distresse, sale, trespassse, or other thing whereof the plaintiffe or plaintiffes complained, was done by authority of this Act, and according to the tenor, purport, and effect of this Act, without any expressing or rehearsall of any other matter or circumstance contained in this present Act: To which abowry, cognizance or Justification the plaintiffe shall be admitted to reply, that the Defendant did take the said Distresse, made the said Sale, or did any other Act or Trespassse supposed in his Declaration of his owne wrong, without any such cause alleadged by the Defendant, whereupon the issue in every such action shall be joyned, to be tryed by verdict of twelue men, and upon the tryal of that issue, the whole matter to be giben on both parties in evidence, according to the very truth of the same, and after such issue tryed for the Defendant, or Non-suite of the Plaintiffe, the said Defendant shall recover treble damages, by reason of his wrongfull veration in that behalfe, with his costs also in that part sustained, and that to be assessed by the same Jury, or by writ to inquire of dammages, as the same cause shall require.

And be it further enacted by the authority aforesaid, That the Justices of Assize in their severall Circuits, shall have full power to inquire of all defects, defaults and negligences of any Justice of Peace, or any other Officer, person or persons whatsoever, in the not due execution of

of this Law, and also of all offences done, contrary to the intent and true meaning thereof, and to punish the same by fine or imprisonment or otherwise, according to their discretions.

C A P. V.

An Act for Keepers of Ale-houses to be bound by Recognizance.

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FOrasmuch as it is found by dayly experience, that many mischiefs and inconveniences doe arise from the excessive number of Ale-houses, from the erection of them in Woods, Bogges, and other unfit places, and many of them not in Towne-ships, but dispersedly, and in dangerous places, and kept by unknown persons not under-taken for, whereby many times they become receptacles for Rebels and other malefactors, and harbours for Gamblers and other idle, disorderd and unprofitable libers, and that those that keep those Ale-houses for the most part, are not fitted or furnished to lodge or entertaine travellers in any decent manner: For the redresse of these inconveniences, and many other mischiefs dayly observed to grow by the course now held, and to reduce those needlesse multitudes of Ale-houses, to a fewer number, to more fit persons, and to more convenient places. Be it enacted by the Kings most excellent Majesty, with the advise of the Lords Spiritual and Temporall, and the Commons in this present Parliament assembled, and by the authority of the same, That no manner of person whatsoever, shall keep any Ale-house, or Tipling-house, nor sell any Ale or Beer by retayle, within this Kingdom but onely such as shall be licensed, according to the true meaning of this Act, and upon such pain as herein after is expressed. And that every person so to be licensed, shall upon receipt of his Licence, pay to his Majesty, five shillings six pence, currant money of and in England, for every year that he shall stand, or be so licensed, And for that no Licences can be granted but by some persons to be sufficiently authorized: It is therefore enacted, that Commissions shall from time to time be awarded under his Majesties great Seale into every County of this Kingdom, to a convenient number of Commissioners, some of the chief to be of the Quorum, to be nominated by the Lord Deputy, or other chief Governour or Governours of this Kingdome, with the content of the Councel for the time being, the said Commissioners to be chosen of the Justices of the Peace, with such others to be added unto them, as the Lord Deputy, or other chief Governour or Governours and Councell of this Kingdom for the time being, shall think fit: Of which Commissioners, the custos Rotulorum in every Countie, to be alwayes one & one of the Quorum; which Commissioners shall consider aswell of the number fit to be allowed for keeping Ale-houses, as of the places where the same shall be kept, and of the abilitie and sufficiencie of the persons that shall be licensed to keep the same: which said Commissioners, or two of them at the least (whereof one to be of the Quorum) shall within one month after Easter yearly, assemble at the Quarter-Sessions, or some other knowne places within the limits of their Commissions, and then and there shall make choyce of such persons, whom (as well for their good behaviour, as for their abilities, and conveniencie of houses, furniture, and places of dwelling) they shall know, or be credibly informed to be the fittest to keep Ale-houses, taking alwayes speciall care, that such as they shall licence, be persons of good behaviour and report, able to entertaine travellers; and that their dwellings be in convenient places, as in market Townes, in Villages on Road-ways, in Townes wherein are Parish Churches, and not in Boggs, or Woods, or other unfit places. And that the same Commissioners, or any



any two of them, (so one be of the Quorum) shall licence such persons to keep Ale-houses for one yeare following the making of such Licence, and no longer: And that the party so licensed, shall immediately enter into Recognizance, with a good surety to his Majesties use, of Ten pounds sterling, before the said Commissioners, by whom he shall be so licensed: The condition of which Recognizance shall be: That the party so licensed, shall observe the assize of bread, and Ale, and Beer, and shall sell the same and all other victuals and Provisions for Travellers and Strangers, at reasonable rates, and shall not make or utter any unwholesome Bread, Beer, Ale, or Victuals, and shall keep two Beds at the least, well and conveniently furnished for the lodging of Strangers, and not to use or suffer any drunkenness, or excessive drinking, or any common dicing, or carding, or other unlawfull Games, and to keep good order and rule in his, or their houses, nor willingly to harbour any suspected persons, or any of ill behaviour, or any of the neighbors servants during the time of their Licences, and not to harbour any stranger in his, or their houses, (unlesse in case of sickness, or other reasonable cause) above foure and twenty houres. The said Licences to be made, and the said Recognizances to be acknowledged at the publique Sessions, or other meetings of the said Commissioners for that purpose and not otherwise. And that the said Commissioners by their said Commissions, shall be especially authorized, as well to take the acknowledgment of the said Recognizances to his Majesties use, as to make the said Licences. And that every such Ale-house-keeper shall pay to his Majesties use, the said five shillings six pence, currant money of and in England, and no more, to the hands of the Collector to be appointed for that purpose, by the custos Rotulorum in every County: of which Collector, the custos Rotulorum is to take good bonds, and returne them to the Exchequer, the same five shillings six pence to be payed before the person so to be licensed, take out his Licence: And that the Collectors aforesaid, shall attend every Commission and Session of the said Commissioners, as well to make Licences and Recognizances, and to enter the names of all such as shall be licensed, and the said Recognizances into a faire Booke: As also to receive such moneyes as shall accrew out of the said Licences unto his Majesty, and the severall summes thereof likewise to enter into the said Booke, which Booke, and every Recognizance entered therein, at the end of every sitting, shall be signed by the hands of two of the Commissioners at the least (whereof one to be of the Quorum) and shall be returned, together with such money as shall be received, in the Exchequer, before the end of Easter Term yearly, by the said Commissioners. And if the said Commissioners, or any of them, or the said Collector, shall conceale the names of any person or persons so licensed, or any summe or summes of money received for the same, or any of the said Recognizances, the party so offending, shall suffer such punishment by fine, imprisonment, or otherwise, as his offence shall deserve.

And be it further enacted by the authority aforesaid, That no person (after one moneth after the end of this Session of Parliament) shall presume to keep any Common Ale-house, or Tipling-house, or to use common selling of Beer or Ale by Retayle, without Licence, upon paine that every person offending herein, shall suffer such punishment by fine, imprisonment, or otherwise, as his offence shall deserve: And that the said Collector shall neither directly, nor indirectly, exact, take, or receive of any person to be licensed, as aforesaid, any summe of money, fee, or reward, for the said Recognizance, Licence, or Acquittance,

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other than the said five shillings six pence, for his Majesties use, as aforesaid, for keeping an Ale-house, or Tipling-house, commonly selling Ale, or Beer, by Retayle, without Licence, upon pain of such punishment, as aforesaid, and shall also be put from his office: And that none of the said Commissioners, shall either directly, or indirectly take any summe of money, fee, or reward, of any of the said Ale-house-keepers, for and concerning the obtaining of his Licence, upon pain that he or they so offending, shall be punished, as aforesaid.

For the col-
lectors sd.

Prohibited alwayes, that such persons as shall sell Ale or Beer onely in places where the Generall Assizes, or the Quarter-Sessions shall be kept, during the time of the Assize or sessions, or at Faires during the time of the Faires, shall not be impeached for keeping the same without Licence. And we do further order and establish, That every Collector to be appointed as aforesaid, shall have for his labour in the execution of the said office, six pence English out of every Licence per annum, to be paid him out of the said five shillings six pence, to be received for Licences, as aforesaid: And the same to be allowed him upon his Accompts, which Accompts are to be taken without payment of any fees. Which allowance of six pence English yearly out of every Licence, is intended onely for the first year, and after the first year, the same to be moderated, continued, or advanced higher, as the Lord Deputy, or other chief Governour and Councell for the time being, shall finde to be most convenient for his Majesties service. And that every one so to be licenced, shall have some sign, stake, or bush at his door, to give notice unto strangers and travellers where they may receive entertainment of meat, drink and lodging, for their reasonable money.

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And be it further enacted by the authority aforesaid, That in case any person or persons whatsoever, shall presume to offend contrary to the intention of this Act, or shall incurre any forfeiture or penalty therein mentioned, That every such person or persons so offending, shall be proceeded against, and punished either before the Lord Deputy, or other chief Governour or Governours, and the Councell of State here for the time being, or in his Majesties Court of Exchequer, or before the Justices of Assize, at their generall Assizes (who shall have full power and authority to hear and determine the same) by all such ways, and in such manner and form, as to each of them respectively in their discretions shall be thought fit, aswell for punishment of the Offenders by fine and imprisonment, or otherwise, as also for reducing them to obedience and conformitie.

And be it further hereby declared, That his Majesty in his abundant care of the good and quiet of his Subjects, hath resolved not to interest any private person whatsoever in this particular, or in the profit which shall arise thereby: but intendeth to retain the same in his own hands, & that the same shall be wholly managed by his Majesty, and by his Ministers, for the publique good, and the better government thereof, that so his Majesties Subjects may take notice of his gracious care and respect of their good & quiet, & that all those whose services shall be necessary herein, may the more industriously labour in the performance of their duties, which as it shall be taken in good part at their hands: So on the other side, those who shall be found remisse or negligent herein, may expect due punishment to be inflicted on them.

And be it further enacted by the authority aforesaid, That this present Act shall be published and made known unto the people by publique Proclamation in every market Town.

VI



CAP. VI.

An Act for Repeale of divers Statutes heretofore enacted in this Kingdome of Ireland.

Whereas Divers Statutes of force within this Kingdome, are now by reason of the blessed change of times, grown out of use, and many of them not fit to be continued, as not sorting with the condition of the present times, and the happy government under which the Subjects of this Kingdome doe live. And that after so long a quiet among his Majesties Subjects thereof, whose zeale to his Majesties service is manifested upon all occasions, any Rationall distinction or difference between them, might prove dangerous.

For the abolition of distinction and difference between his Majesties said dutifull Subjects of the said Realm of Ireland, & for the perpetuall settling of peace and tranquillity among them: His most excellent Majesty intending the common and constant good of his said Realm of Ireland, and of his Subjects of the same, and of their posterity for ever hereafter, and at the humble desire of his said Subjects, is graciously pleased, that it may be enacted by his Majesty, and the Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, and be it enacted by the authority of the same, that one Statute made in this Realm of Ireland, in the fife and twentieth year of the reign of the late King Henry the sixth, late King of England and Lord of Ireland, whereby it is ordained, that he that will be taken for an English man, shall not use a Beard upon his upper-lippe alone, the Offendor shall be taken as an Irish Enemy. And one other Statute made in the said Realm, in the said fife and twentieth year of the Raighn of the said late King Henry the sixth, whereby it is ordained, That if an Irish Enemy, received to the Kings allegiance, shall be found after to robbe, spoyle and destroy the Liege people, it shall be lawfull for every Liege man, to doe with him and with his goods, as to a man that never was become Liege. And one other Statute made in the said Realm, in the said fife and twentieth year of the raighn of the said late King Henry the sixth, against clipped money, money called O Keyplies money, and other unlawfull money, and against guilt Brides, Peytrells, and other guilt Harnyes. And one other Statute made in the said Realm, in the eighth & twentieth year of the raighn of the said late King Henry the sixth, that no Marchour, nor other man, shall keep more Horsemen or footmen, then they shall answer for, and maintaine upon their own charges, and their Tenants, and for presenting the names of their men: And that none shall take Coynee, Cudpes, or night Suppers, nor shall take pledge for them, the Offendors shall be fellows. And one other Statute made in the said Realm, in the three and thirtieth year of the raighn of the said late King Henry the sixth, that every man shall answer for his Son and waged men. And one other Statute made in the said Realm of Ireland, in the fifth year of the raighn of the late King Edward the fourth, late King of England, and Lord of Ireland, that it shall be lawfull to kill any that is found robbing by day or by night, or going or comming to robbe or steale in the Countie of Meath, having no faithfull man of good name or fame in his or their Company in English apparell. And one other Statute made in the said Realm of Ireland, in the tenth year of the raighn of the late King Henry the seventh, late King of England, and Lord of Ireland, whereby it is enacted, that one born within the Realm of England, to be Constable of the Castle of Dublin, Tryme, Dertlip, Athlone, Wicklow, Green-castle, Carlingford, and Carigfergus. And one other Statute made in the said Realm of Ireland, in the eleventh year

of the raigñ of the late Quēn Elizabeth, for the limitation of tanning of Leather. And one other Act made in the said Realm, in the said eleventh yeare of the said Quēn Elizabeth, That five persons of the best and eldest of every Nation amongst the Irishry, shall bring in all the idle persons of their Surname, to be justified by Law, Be from henceforth utterly repealed, and made voyde, and of none effect, to all intents, constructions and purposes.

CAP VII.

An Act of explanation of a Statute made in this Realm, in the eighteenth year of the raigñ of the late King Edward the fourth, intituled an Act whereby distresses taken for rent may be sold

Eng. 8. 18.
C. 4. cap. 1.

V Hereas at a Parliament holden in this Kingdom, in the eighteenth year of the raigñ of the late King Edward the fourth, late King of England, and Lord of Ireland, It was ordained and accorded by authority of that Parliament, that when any Lord thenceforth, take any distresse, if the distresse be not quit within eight dayes after the taking, that then it shall be lawfull to the Lord to call before him or his Officer, four men of the same Lordship, to make them swear before him or his Seneschall, or his receiver, upon a book, to praise the distresse or distresses so taken. And if he from whom the distresse is taken, doe not come within other eight dayes after the praysement, and pay his duty, or make no agreement with his Lord, or his Officer, then the Lord to take it as it is praysed, for his rent, with his dammages. And if the distresse be better then the Rent with the Arrerages, the Lord to restore the surplusage unto the Tenant. And if it be of lesser price then the value of the Rent, with the Arrerages, the Tenant to pay the surplusage, or to be againe distrained.

And forasmuch as diuers doubts and ambiguities did, and daily do arise, whether the said Statute can extend unto any, but unto very Lord, and very Tenant: Be it therefore enacted, adjudged, and declared by the Kings most excellent Majesty, and the Lords Spirituall and Temporall, and Commons in this present Parliament assembled and by authority of the same, That all and every person and persons, bodies politique and corporate, and other persons whatsoever, who is or are, or hereafter shall be seized in fee, or fee tayle, generall or special or as Tenant after possibility of issue extinct, as Tenant for life or lives in dower, or by the curtesie of England, or of any other Estate of freehold, or that now is, or are, or hereafter shall be possessed as of an Estate for years, Guardian in Chivalrie, or Socage, or as Tenant by Elegit, Statute Merchant, or Statute Staple, or of any other Estate for years, or estate equivalent thereunto, of any Honors, Castles, Lands, Tenements, or other Hereditaments whatsoever: and also all and every Grantor or Grantors, of any one or more rent or rents charge, and the heires, successors, and assignes of every such Grantor or Grantors, and every other person and persons whatsoever, shall and may from henceforth distraine for their and every of their rents, customs, duties and services to them and every of them reserved, or to be reserved, or due and payable, and for which it is, or shall be lawfull to distraine by the Law of this Realm, for, or out of any Honors, Castles, Mannors, Lands, Tenements and Hereditaments whatsoever: That it shall and may be lawfull for all and every the said person and persons, bodies politique and corporate, and to the said Grantor or Grantors, his and their heires, successors and assignes, to impound, appraise, sell and other-



otherwise to use, dispose of, and convert to his or their use the said distresses to be taken, as aforesaid, as in case between very Lord and very Tenant, should be lawful either by the Statute before-mentioned, or by any other Law or Statute whatsoever.

Provided alwayes, and be it further enacted by the authority aforesaid, That the said appraisement be made upon oath by four or more honest and discreet persons of the same Parish, where the said distress shall be taken in the same manner, as the same hath been done by four persons of the Lordship, in case between very Lord, and very Tenant: The said oath to be administered by the parties distraining, or by their Seneschall, Bayliffe, or Receiver.

CVP. VIII

An Act to give costs to the Defendant, upon a Nonsuite of the Plaintiff, or verdict against him.

FOr the further discouraging of unjust verations of his Majesties Subjects of this Realm, by bringing against them frivolous and unjust Suits: Be it enacted by the Kings most excellent Majesty the Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, and by the authority of the same: That if any person or persons, at any time after the end of this present Session of Parliament, shall commence or sue in any Court of Record, or in any other Court, any Action, Bill, or Plaint of Trespass, of Ejectione firme, or any other Action whatsoever, wherein the Plaintiff or Demandant might have costs, (if in case Judgement should be given for him) and the Plaintiff or Plaintiffs, Demandant or Demandants, in any such Action, Bill or Plaint, after apperance of the Defendant or Defendants, be Non-suited, or that any verdict happen to passe by any lawfull tryall against the Plaintiff or Plaintiffs, Demandant or Demandants in any such Action, Bill, or plaint: Then the Defendant and Defendants in every such Action, Bill or Plaint shall have Judgement to recover his Costs against every such Plaintiff and Plaintiffs, Demandant and Demandants, to be assessed, taxed and leyed in manner and form, as Costs in other Actions are to be assessed, taxed, and leyed, in and by another Law made in this present Parliament: Providing that the Defendant shall recover Costs in certaine Actions therein named, where the Plaintiff should become Non-suit or a Verdict should be had against him.

CAP. IX

An Act for the limiting of Peremptory challenges in cases of Treason and Felonies, &c.

FOr the more speedy Tryall of Traytors and fellows, Be it enacted by our Soberaign Lord the Kings Majesty, the Lords Spirituall and Temporall, and Commons in this present Parliament assembled, and by the authority of the same, That from and after the end of this present Parliament, no manner of person or persons whatsoever, that shall be arraigned for any offence or offences of high Treason, Pettie Treason, Murder, Man-slaughter, or any other felonie whatsoever, shall be admitted to challenge Peremptory above the number of twentieth such persons, as shall be returned for the tryall of the said Offendors, or any of them. And if in case any the Offendor or offendors aforesaid, upon his or their Arraignment, or Tryall, shall challenge peremptory above the number aforesaid, That then the Justice or Justices, Commissioner or Commissioners, and all & every other person and persons, which shall have power & authority for the tryall of such offendor or offendors, shall and may proceed to give such Judgement and Judgments, against such Offendor or Offendors, and

St. 10 ca. 8
cap. 17.
Eng. 4. 3a
cap. 3.

Eng. 22.
D. cap. 14
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Eng. 4. 32
D. 8 cap. 3.

award such Execution and Executions upon the same, as he or they should, might, or ought to have done, if the said Offendor or Offendors had challenged Peremptorily the number of six and thirty or more, before the making of this Statute: Any Law, Statute, custom, or usage to the contrary in any wise notwithstanding.

C A P. X.

An Act to prevent and punish the abuses in procuring processe and super-fedeas of the peace, and good behaviour, out of his Majesties Courts of Chancery, and Kings Bench, and to prevent abuses in procuring writs of certiorari, &c.

Eng: 21
3: cap: 8

V Whereas divers turbulent and contentious persons, some out of malice, & others in hope of gaine, by way of composition, do oftentimes, upon their corporall oaths, peremptorily and corruptly taken or otherwise upon false suggestions and surmises, procure processe of Peace, or good behaviour, out of his Majesties Courts of Chancery, and Kings Bench, against divers of his Majesties quiet Subiects, whose dwellings and aboades are for the most part, in Countreys farre distant and remote from the said Courts, to their intollerable trouble and vexation, whereas they might upon good cause shewed, receive Justice at the hands of the Justices of the peace, in the Countreys where they dwell.

For remedy whereof, Be it enacted by the authority of this present Parliament, That all processe of the Peace, or good behaviour, after the end of this Parliament, to be granted or awarded out of the same Courts, or either of them, against any person or persons whatsoever, at the suit of, or by the prosecution of any person or persons whatsoever, shall be voyd, and of none effect, unlesse such processe shall be so granted or awarded upon motion first made, before the Judge or Judges of the same Courts respectively sitting in open Court, and upon declaration in writing upon their corporall oaths, to be then exhibited unto them, by the parties which shall desire such processe of the causes, for which such processe shall be granted, or awarded, by, or out of any of the said Courts respectively, and unlesse that such motion and declaration, be mentioned to be made, upon the back of the Writ, the said writings there to be entred, and remain of Record. And that if it shall afterwards appeare unto the said Courts, or either of them respectively, that the causes expressed in such writings, or any of them be untrue, That then the Judge or Judges of the said Courts, or either of them respectively, shall and may award such costs and damages, unto the parties grieved, for their, or any of their wrongfull vexations on that behalf, as they shall think fit. And that the party or parties so offending, shall and may be committed to prison by such Judge or Judges, untill he or they pay the said costs and damages. And whereas divers turbulent and contentious persons, deservedly fearing to be bound to the peace or good behaviour, by the Justices of the peace of the Counties where they dwell, do oftentimes procure themselves to be bound to the Peace, or good behaviour in the said Courts, or one of them, upon insufficient sureties, or upon colourable prosecution of some person or persons, who will be ready at all times to release them at their owne pleasure, whereupon his Majesties Writs of Superfedeas are often-times directed to the Justices of Peace, and other his Majesties Officers, requiring them and every of them, to forbear to arrest or imprison the parties aforesaid, for the causes aforesaid: by meanes whereof, the said trubulent and contentious persons, misdemean themselves amongst their neighbours, with impunitie, to the great offence and disturbance of their neighbors, amongst whom they converse
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and libe, and to the affront of the Iustices of Peace, and to the evil example and incouragment of like evil disposed persons.

Be it therefore enacted by the authority aforesaid, That all Writts of Superfedeas after the end of this present Parliament to be granted by or out of either of the Courts aforesaid, shall be voyd and of none effect, unlesse such procelle be granted likewise upon motion in open Court, first made as aforesaid, and upon such sufficient sureties, as shall appeare to the Judge or Judges of the same Court respectibely upon oath, to be assessed at five pounds Lands, or ten pounds in goods in the Subsidie booke at the least: which oathes, and the names of such sureties, with the places of their abode, and where they stand so assessed in the Subsidie book, shall be entred and remaine of Record in the same Courts: And unlesse it shall also first appeare unto the said Judge or Judges from whence such Superfedeas is desired, that the procelle of the peace, or good behaviour, is prosecuted against him or them desiring such Superfedeas bonafide, by some party grieved in that Court out of which, such Superfedeas is desired to be so awarded and directed.

And whereas divers lewde and evil-disposed persons, commonly called Common Baylers, or Knights of the Poste, being base & beggerly persons, doe oftentimes procure themselves to be assessed at high rates in the Subsidie-bookes, and sometimes doe falsely take upon them the names of other men, of good abilitie, of purpose to enable themselves to be accepted for Bayle: which persons being of small, or no abilitie or worth, are ready for lucre and gaine, to become bound by Recognizance, as sureties for such persons as shall procure themselves to be bound to the peace or good behaviour, as aforesaid: By means whereof, the Judge or Judges of the said Courts, not knowing them, may be easily abused, and justly deluded.

Be it therefore enacted by the authority aforesaid, That the Judge or Judges of the Courts aforesaid, respectibely, or either of them, upon proof of any of the misdemeanors aforesaid, to be committed in the obtaining of the aforesaid writts of Superfedeas or procuring such suretie, as aforesaid, shall and may likewise punish the false and insufficient sureties, and Baylers aforesaid, and the procurers thereof, according to their discretions, so as such punishment extend not to the losse of life or member.

And whereas divers Bills of Indictment of Ryot, forcible Entry, or of Assault and Battery, or other trespasses, being found before the Iustices of Assize, at the generall Assizes, or before the Iustices of Peace at their Quarter-Sessions of the Peace, or otherwise, are oftentimes removed from the Countie where such Indictments are found by Writts of Certiorari unto them directed out of the said Courts, or by the means of the persons so indicted, who well know, that few or no persons grieved by such their out-rages and misdemeanors, whereof they stand so indicted, will under-go the travaile or charge of prosecution of such Indictments so removed, by bringing the parties so indicted to tryall: By means whereof, such offenders for the most part escape unprosecuted and unpunished, and the King loseth the fines which ought and should have been imposed upon them if such indictments had been prosecuted, and not removed.

Be it therefore enacted, That all such Writts of Certiorari shall from and after the end of this present Parliament, be delivered at the Generall Assizes, or at som Quarter-Sessions of the Peace respectibely in open Court, and that the parties indicted, shall before the allowance

ance of such Certioraries, become bound unto such person or persons, which shall prosecute such Bills of Indictment against them in the sum of ten pounds, with such sufficient surerties, as the Justices of Assizes, at their generall Assizes, or the Justices of the peace, at their said Quarter-Sessions of the Peace shall think fit, with condition to pay unto the said prosecutors of such Bills of indictment, within one moneth after the conviction of such parties indicted, such reasonable costs and damages as the Justices of Assize, or Justices of Peace of such Counties where such Bills of Indictment shall be found in the generall Assizes or Sessions of the Peace respectively shall aslesse, or allow, and that in default thereof, it shall be lawfull for the said Justices of Assize, and Justices of the Peace respectively, to proceed to tryal of such Indictments: Any such Writs of Certiorari to remove the same Indictments notwithstanding.

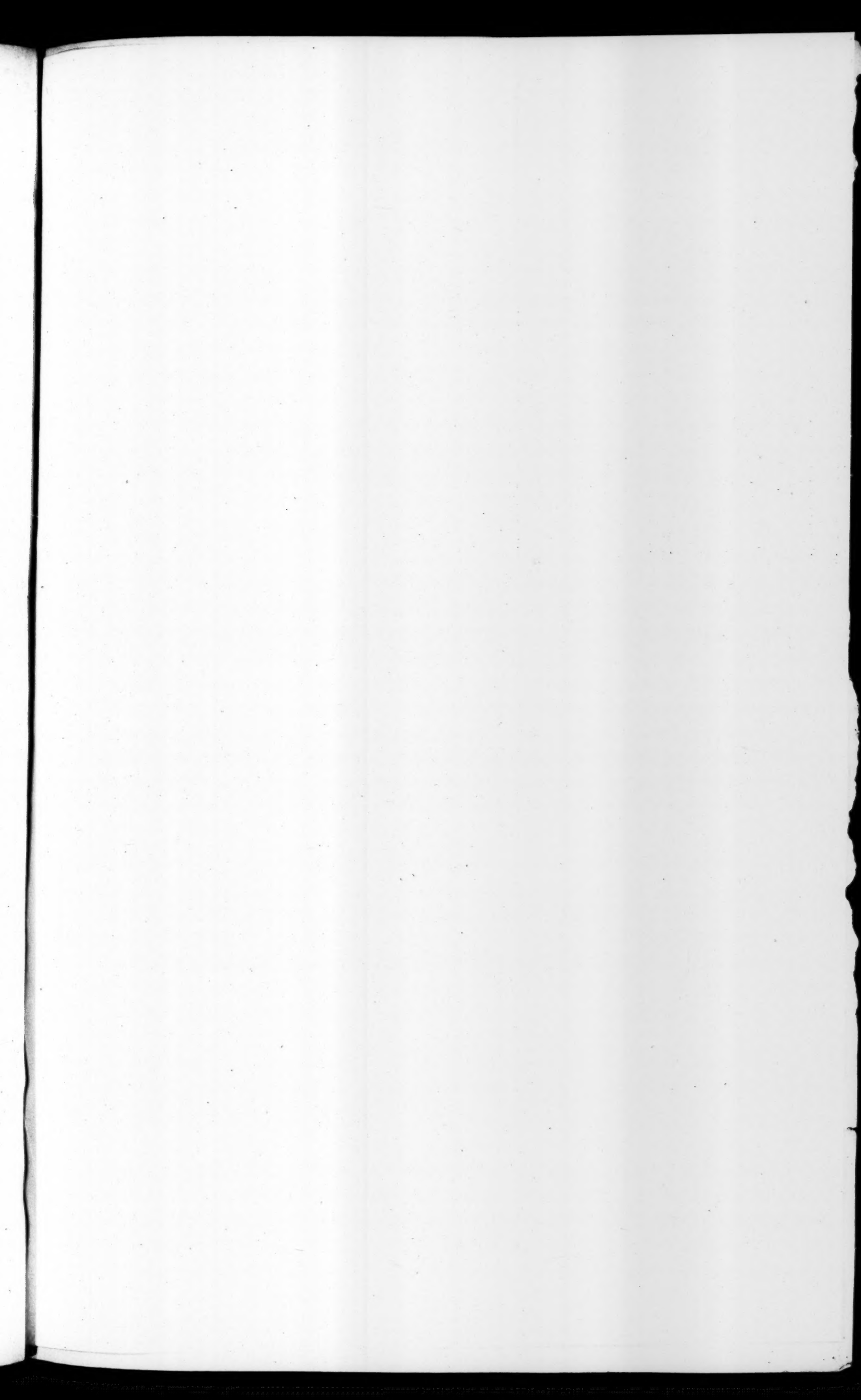
CAP. XI.

An Act for the ease of the Subject, concerning information upon penall Statutes.

Eng: R. 2.
3a: cap. 4.

Whereas the offences against divers and Sundry penall Lawes and Statutes of this Realm, may better and with more ease, and lesse charge to the Subject, be commenced, sued, informed against, prosecuted and tryed in the Counties where such offences shall be committed. And whereas the poore Commons of this Realm are grievously charged, troubled, vexed, molested and disturbed by divers troublesome persons, commonly called Relators, Informers, and Promoters, by prosecuting and enforcing them to appeare in his Majesties Courts at Dublin, and to answer offences supposed by them to be committed against the said penall Lawes and Statutes, or else to compound with them for the same.

For remedy whereof, Be it enacted by the authority of this present Parliament, That all offences hereafter to be committed against any penall Statute, for which any common Informer or Promoter, may lawfully ground any popular Action, Bill, Plaint, Suite, or information, before Justices of Assize, Justices of Nisi prius or Gaole-delivery, Justices of Oyer and Terminer, or Justices of the Peace, in their Generall or Quarter-Sessions, shall after the end of this present Session of Parliament be commenced, sued, prosecuted, tryed, recovered, and determined by way of Action, Plaint, Bill, Information, or Indictment, or before the Justices of Assize, Justices of Nisi prius, Justices of Oyer and Terminer, and Justices of Gaole-delivery, or before the Justices of Peace of every County, City, Burrough or Towne Corporate, and liberty, having power to enquire of, heare, and determine the same within this Realm of Ireland, wherein such offences shall be committed in any of the Courts, places of Judicature, or liberties aforesaid, respectively, onely at the choice of the parties, which shall or will commence Suite, or prosecute for the same, and not else-where: Save onely in the said Counties or places usuall for those Counties, or any of them: And that like procelle upon every popular Action, Bill, Plaint, Information, or Suite, to be commenced or sued, or prosecuted after the end of this present Session of Parliament by force of, or according to the purport of this Act, be had and awarded, to all intents and purposes, as in an Action of Trespasse, Vi & Armis, at the Common Law: And that all manner of Informations, Actions Bills Plaints and Suites whatsoever hereafter to be commenced, sued, prosecuted, or awarded, either by the Attourney Generall of his Majestie, his Heires or successors for the time being, or by any Officer or Officers whatsoever, for the time being, or by any common Informer, or other person



person whatsoever, (in any of his Majesties Courts of Dublin) for or concerning any the offences, penalties, or forfeitures aforesaid, shall be voyde, and of none effect: Any law, custome, or vsage to the contrary thereof notwithstanding.

And be it further enacted by the authority aforesaid, That in all informations to be exhibited, and in all Bills, Counts, Plaints and Declarations, in any Action, or Suite, to be commenced against any person or persons, either by, or on the behalfe of the King or any other, for, or concerning any offence committed, or to be committed against any Penall Statute, the offence shall be layed and alleadged to have been committed in the said County where such offence was in truth committed, and not elsewhere. And if the Defendant to any such information, Action, or Suit, pleadeth that he oweth nothing, or that he is not guilty, and the Plaintiffe, or Informer in such Information, Action, or Suit upon evidence to the Jury that shall try such issue, shall both prove the offence laid in the said Information, Action or Suite, and that the same offence was committed in that Countie, Then the Defendant and Defendants shall be found not guiltie.

And be it further enacted by the authority aforesaid, That no Officer or Minister, in any Court of Record, shall receive, file, or enter of Record, ^{the informer} any Information, Bill, or Plaint, Count or Declaration, grounded ^{to take an} upon the said Penall Statutes or any of them, which before by this ^{oath that} Act are appointed to be heard and determined in their proper Counties ^{the Offence} untill the Informer or Relator hath first taken a corporall oath before ^{was com-} some of the Judges of that Court, that the offence or offences, layde in ^{mitted in no} such Information, Action, Suite or Plaint, was, or were, not com- ^{other coun-} mitted in any other Countie, then where by the said Information, ^{ty than} Bill, Plaint, Count or Declaration, the same is, or are supposed to ^{where tis} have been committed and that he believeth in his conscience, the offence ^{laid,} was committed within a year before the Information or Suite with- in the same Countie, where the said Information or Suite was commenced, the same oath to be there entered of Record.

And be it also enacted by the authority aforesaid, That if any Information, Suit, or Action shall be brought or exhibited against any person or persons, for any offence committed, or to be committed against the forme of any penal Law, either by, or on the behalfe of the King, or by any other, or on the behalfe of the King, and any other: It shall be lawfull for such Defendants to plead the Generall Issue, that they are not guilty, or that they owe nothing, and to give such speciall matter in evidence to the Jury that shall try the same; which matter being pleaded, had been a good and sufficient matter in Law, to have discharged the said Defendant or Defendants against the said Information, Suite, or Action: And the said matters shall be then as availeable to him, or them, to all intents and purposes, as if he or they had sufficiently pleaded, set forth, or alleadged the same matter in Barre, or discharge of such information Suite, or Action.

Provided alwayes, That this Act or any clause containned therein, shall not extend to any information, Suite or Action, brought for maintenance, champertie, or buyng of Titles, nor for or concerning the concealing or defrauding the King, his Heires, or Successors, of any Custome, Tynage, Poundage, Subsidie, Impost, or Prilage, or for transporting of Gold, Silver, Ordnance, Powder, Shot, Munition of all sorts, Wooll, Wooll-fells, or Leather, nor to any Action, Bill, Plaint, or Information, grounded upon the Statute of 23. of King

King Henry the sixth, capite 10. against any Sheriffe, for not making yearly a Deputy in the Kings Court of Chancery, Chief place, Common place, and Exchequer, to receive all manner of Writs and Warrants, to be delivered them, as by that Statute is enacted and ordained: But that such Action, Bill, Plaint, or Information, maybe brought into any of the Kings Courts at Dublin: And that such offences may be layed, or alledged to be in any Countie, at the pleasure of any Informer: Any thing in this Act to the contrary notwithstanding.

CAP. XII.

An Act for new Executions to be sued against any which hereafter shall be delivered out of Execution, by priviledge of Parliament.

Eng: 1. 3a;
cap: 13.

Foasmuch as doubt hath been made heretofore, if any person being arrested in Execution and by priviledge of either of the Houses of Parliament set at liberty, whether the partie at whose suit such Execution was pursued, be for ever after barred and disabled to sue forth a new Writ of Execution in that case.

For the avoiding of all further doubt and trouble, which in like cases may hereafter ensue, Be it enacted by the Kings most excellent Majestie by the Lords Spiritual and Temporall, and by the Commons in this present Parliament assembled, That from henceforth the partie at or by whose suit such Writ of Execution was pursued, his Executors or Administrators, after such time as the priviledge of that Session of Parliament, in which such priviledge shall be so granted, shall cease, may sue forth and execute anew Writ or Writs of Execution, in such manner and forme, as by the Lawes of this Realm he might have done if no such former Execution had been taken forth or served: And that from henceforth no Sheriffe, Bailiff, or other officer, from whose arrest or custody any such person, so arrested in Execution, shall be delivered by any such priviledge, shall be charged or chargeable with, or by any Action whatsoever for delivering out of Execution any such priviledged person, so as is aforesaid, by such priviledge of Parliament set at liberty: Any Law, custome, or priviledge heretofore to the contrary notwithstanding.

Provided alwayes, That this Act, or any thing therein contained, shall not extend to the diminishing of any punishment to be hereafter by censure in Parliament inflicted upon any person, which hereafter shall make, or procure to be made any such arrest as is aforesaid.

CAP. XIII.

An Act for the following of Hue and Cry.

Eng: 1. 27;
E. cap: 13.

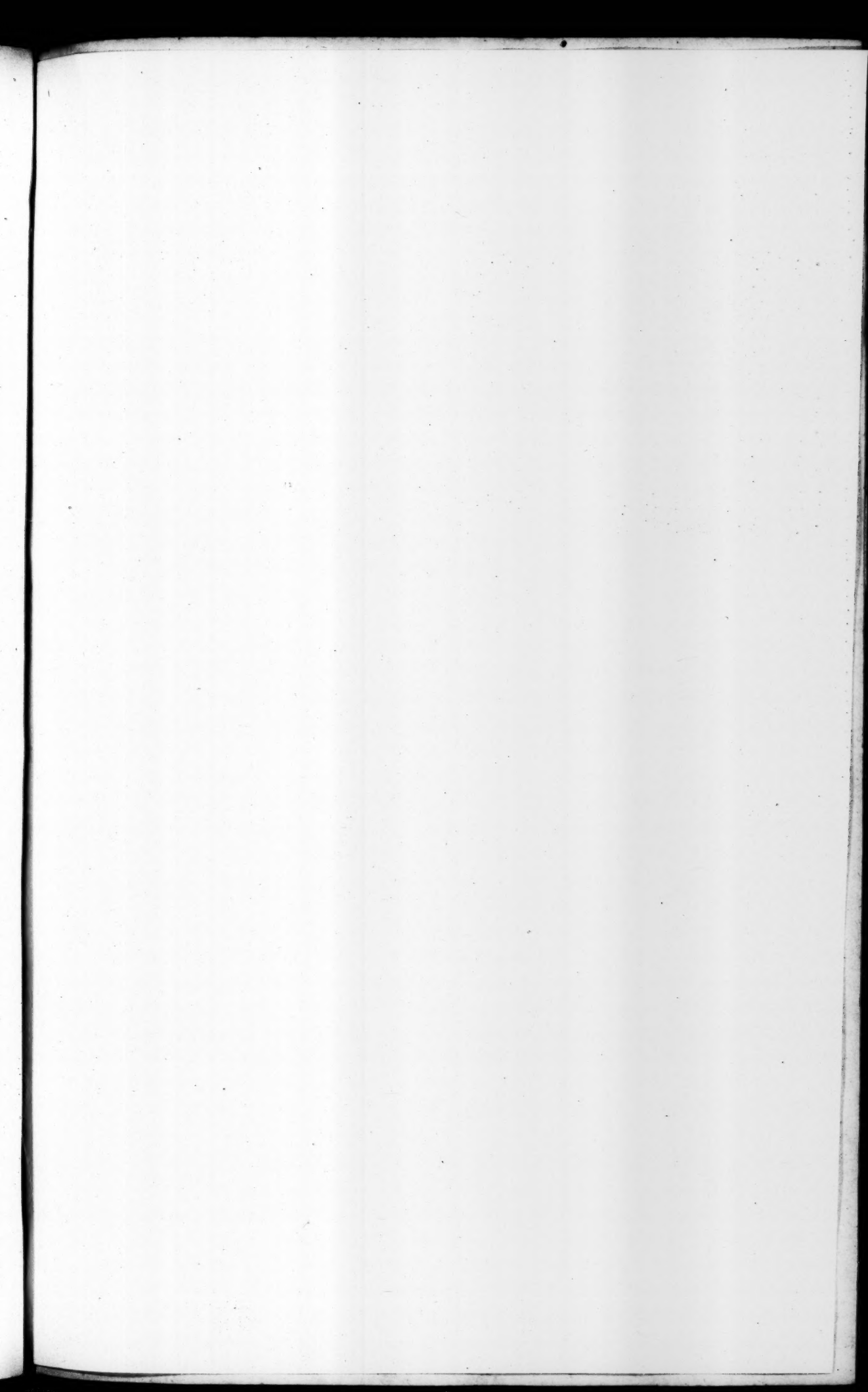
VWhereas by two ancient Statuts made in England, the one in the Parliament holden at Winchester, in the thirtieth year of the Raign of King Edward the first, & the other in the eight and twentieth year of King Edward the third, it was for the better repressing of Robberies and Felonies, (amongst other things) enacted to this effect: That if the Country do not answer for the bodies of such Malefactors, that then the paine should be such, that is to wit, that the people dwelling in the Country shall be answerable for the Robberies done, and the damages, so that the whole Hundred where the Robberie shall be done, with the Franchises which are within the precincts of the same Hundred, shall answer the Robberies done: and if the Robberie chance to be done in the division of two Hundreds, that then both the Hundreds together, with the Franchises within the precinct of them, shall be answerable, as in the said two severall Statutes it doth more at large appeare.

Forasmuch as the said parts of the said severall Statutes, being of late dayes more commonly put in Execution then heretofore they have been, are found by experience to be verie hard and extream to many of the Kings Majesties good Subjects, because by the same Statutes they doe remain charged with the penalties therein contained, notwithstanding their unabilitie, to satisfie the same: And though they doe as much as in reason might be required, in pursuing such Malefactors and Offenders, whereby both large scope of negligence is given to the Inhabitants and Resiants in other Hundreds and Counties, not to prosecute the Hue and Cry, made, followed, and brought unto them, by reason they are not chargeable for any portion of the goods robbed, nor with any damages in that behalf given: and also great encouragement and emboldning is likewise given unto the Offenders, to commit daily more Felonies and Robberies, as seeing it in manner impossible for the Inhabitants and Resiants of the said Hundreds and Franchises wherein the Robbery is committed, to apprehend them without the aid of the other Hundreds and Counties adjoyning: And for that also the partie robbed, having remedie by the aforesaid Statutes, for the recovering of his goods robbed, and damages against the Inhabitants and Resiants of the Hundred wherein the Robbery was committed, is many times negligent and careless in prosecuting and pursuing the said Malefactors and Offenders: Our Sovereign Lord the Kings Majestie, not willing therefore that his people should be impoverished by any such paine or penaltie, which should be hard or grievous to them, and having speciall regard to abate the power of Felons, and to repressle Felonies, doth for remedie thereof, with the consent of the Lords Spirituall and Temporall, and of all the Commons in this present Parliament assembled, and by the authority of the same Parliament, establish and enact, that the Inhabitants and Resiants of every Hundred or Barony, with the Franchises within the precinct thereof, wherein negligence, fault, or defect of pursuit, and fresh suit, after Hue and Cry made, shall happen to be from and after forty dayes next after the end of this present Parliament, shall answer and satisfie the one moyetie, or halfe of all and every such summe and summes of mony and damages as shall by force or vertue of the said Statutes, or either of them, be recovered or had, against, or of the said Hundred, or Barony with the Franchises therein, in which Robberie or Felonie shall at any time hereafter be committed or done. And that the same moyetie shall and may be recovered by action of debt, bill, plaint, or information, in any of the Kings Majesties Courts of Record, by and in the name of the Clerke of the Peace, for the time being, of or in every such Countie within this Realm where any such Robberie and Recoverie by the partie or parties robbed shall be, without naming the Christian name or surname of the said Clerke of the peace, which moyetie so recovered, shall be to the onely use and behoofe of the Inhabitants of the said Hundred or Barony, where any such Robberie or Felonie shall be Committed or done.

And be it further enacted by the authority aforesaid, that if any Clerk of the Peace, of or in any Countie within this Realm, shall at any time hereafter commence or prefer any such Suit, Action, or Information, and shall after the same, so sued, commenced, or preferred, happen to dye, or to be removed out of his Office, before recoverie and execution had, that yet no such Action, Suit, Bill, Plaint, or Information, sued, commenced, or preferred, shall by such displacing or death, be abated, discontinued, or ended: But that it shall and may be

lawfull to and for the Clerke of the peace next succceding in the said County, to prosecute, pursue, and follow all and every such action, bill, plaint, suit, & information, for the causes aforesaid, so hanging and depending, in such manner and forme, and to all intents and purposes as that Clerke of the Peace might have done, which first commenced or preferred the said Suit, Will, Plaint, or Information. And although the whole Hundred or Baronie, where such Robberies and Felonies are committed with the Liberties within the precinct thereof, are by the said two former Statutes, charged with the answering to the party robbed his damages, yet neverthelesse the recoverie and execution, by and for the partie and parties robbed, is had against one, or a very few persons of the said Inhabitants, and he and they so charged, have not heretofore by Law, had any means or way to have any contribution, of or from the residue of the said Hundred or Baronie, where the said Robberie is committed, to the great impoverishment of them, against whom such recoverie or execution is had.

For remedie whereof, Be it enacted by the authority aforesaid, That after execution of the Damages by the partie or parties so robbed, had, it shall and may be lawfull upon complaint made by the partie or parties so charged, to and for two Justices of the Peace, whereof one to be of the Quorum of the same Countie, inhabiting within the said Hundred or Baronie, or neer unto the same, where any such execution shall be had, to assesse, and take ratably and proportionably, according to their discretions, all and every the Townes, Parishes, Villages, and Hamlets, as well of the said Hundred or Baronie, where any such robbery shall be committed, as of the libertyes within the said Hundred or Barony, to & towards an equall contribution to be had and made for the relief of the said inhabitant or inhabitants against whom the party or parties, robbed before that time had his or their execution: And after such taxation made, the Constable or Constables, Head-borough or Head-boroughs of every such towne, parish, village & hamlet, shall by vertue of this present Act, have full power and authority within their severall limits ratably and proportionably to tax and assesse according to their abilities every inhabitant & dweller in every such towne, parish, village and hamlet, for and towards the payment of such taxation and assessment, as shall be so made upon every such towne, parish, village and hamlet, as aforesaid, by the said Justices. And that if any Inhabitant of any such towne, parish, village or hamlet, shall obstinately refuse and denie to pay the said taxation and assessment, so by the said Constable or Constables, Head-borough or Head-boroughs, taxed and assessed; That then it shall and may be lawfull to and for the said Constables and Head-boroughs, and every of them within their severall limits and jurisdictions, to distraine all and every person and persons, so refusing and denying, by his and their goods and chattles, and the same distresse to sell, and the mony thereof comming to retain to the use aforesaid. And if the goods or chattles so distrained and sold, shall be of more value then the said taxation shall come unto, that then the residue of the said money, over and above the said taxation, shall be delivered unto the said person and persons so distrained. And be it further enacted, that all and every of the said Constables and Head-boroughs after that they have within their severall limits and jurisdictions, levied and collected the said rates and summes of money so taxed, shall within ten daies after such collection, pay and deliver the same over unto the Justices of Peace, or one of them, to the use and behoofe of the said inhabitant or inhabitants, for whom such rate,



rate, taxation, or assentment shall be had or made as aforesaid: which money so paid, shall by the Justice or Justices of peace so receiving the same, be delivered upon request made unto the said inhabitant or inhabitants, to whose use the same was collected.

And be it further enacted by authority aforesaid, That the like taxation, assessment levied by distress and payment, as aforesaid, shall be had and done, within every Hundred and Barony, where default or negligence of pursuit, and fresh suit, shall be for and to the benefit of all and every inhabitant and inhabitants of the same Hundred or Barony where such default shall be, that shall any time hereafter by virtue of this present Act have any damages, or money levied of them, for, or to the payment of the one moiety, or half of the money recovered against the said Hundred or Barony, where any Robberie shall be hereafter committed.

Provided also, and be it further enacted by the authority aforesaid, That where any Robbery is, or shall be hereafter committed by two, or a greater number of malefactors, and that it happen any of the said offenders to be apprehended by pursuit to be made, according to the said former mentioned Laws and Statutes, or according to this present Act: that then and in such case, no Hundred, Barony, or Franchises, shall in any wise incur or fall into the penalty, loss or forfeiture mentioned either in this present Act, or in the said former Statutes, although the residue of the said malefactors shall happen to escape, and not to be apprehended: Any thing in this Statute, or in the said former Statutes to the contrary notwithstanding. ^{apprehending the robbers shall excuse the Barony} Provided also, that no person or persons hereafter robbed, shall take any benefit by virtue of any the said former Statutes, to charge any hundred or Barony where any such Robberie shall be committed, except he or they so robbed shall commence his or their suit or Action within one yeare next after such Robberie so to be committed. ^{suit within a year.}

And be it further enacted by the authority aforesaid, That no Hue or Cry, or pursuit hereafter to be made or done by the Countie or Inhabitants of any Hundred, or Barony, shall be allowed and taken to be a lawfull Hue and Cry, or pursuit upon or after the said Felons or Offenders, except the same Hue and Cry, and pursuit be done and made by horse-men and foot-men: Any usage or custome to the contrary notwithstanding.

And be it further also enacted by the authoritie of this present Parliament, That no person or persons that shall hereafter happen to be robbed, shall have or maintaine any action, or take any benefit by virtue of the said two mentioned Statutes, or either of them; except the said person and persons so robbed shall with as much convenient speed as may be, give notice and intelligence of the said felonie or robbery so committed unto some of the inhabitants, of some town, village, or hamlet, near unto the place where any such robbery shall be committed, nor shall bring or have any action upon, or by virtue of any the Statutes aforesaid, except he or they shall first within twenty daies next before such action to be brought, be examined upon his or their corporall oath, to be taken before some one Justice of the peace of the countie where the robbery was committed, Inhabiting within the said Hundred or Barony where the robbery was committed, or neere unto the same whether he or they doe know the parties that committed the said robbery, or any of them. And if upon such examination it be confessed, that he or they doe know the partie that committed the said robbery, or any of them, that then he or they so confessing, shall before

the said action be commenced or brought, enter into sufficient bond by recognizance, before the said Justice, before whom the said examination is had, effectually to prosecute the said person and persons so knowne to have committed the said robbery, by indictment, or otherwise, according to the due course of the lawes of this Realm.

CAP. XIV.

An Act concerning Errors in Records of Attainder of high Treason and Felonie.

Eng. R. 29
El. cap. 2.

FOrasmuch as (through corruption, or negligent keeping) the Records of Attainders of Treason, Murder or Felonie, happen many times to be impaired, blemished, or otherwise to be defective: Be it ordained and enacted by the authority of this present Parliament, That no Record of Attainder, that now is, of any person or persons of or for any high Treason, Murder, or Felonie, where the partis so attained is or hath been executed for the same Treason, Murder, or Felonie, shall by the heire or heires of any such person, or by any other whatsoever, claiming in, from, by or under any such heir or heires be in any wise hereafter reversed, undone, aboyded, or impeached by any plea, or for any error whatsoever.

Provided alwayes nevertheless, that this Act, nor any thing therein contained, shall in any wise extend to any Record of Attainder of or for any Treason, Murder, or Felonie, upon which any Writ of Error is now depending, or which Record is already reversed, repealed or undone, by or for any error, matter, plea, or cause whatsoever, but that the same shall be, and remaine as unto, and against that partie at whose suit the same Writ of Error is depending, or at whose pursuit the Record hath bin reversed, repealed, or undone, and his, her, or their heires and assignes onely; as if this Act had never been had or made: Any thing in this Act to the contrarie thereof notwithstanding.

CAP. XV.

An Act agasnt plowing by the Tayle, and pulling the Wooll of living Sheep.

WHereas in many places of this Kingdome, there hath been a long time used a barbarous custome of ploughing, harrowing, drawing, and working with horses, mares, geldings, garrans, and colts, by the taile, whereby (besides the cruelty used to the beasts) the breed of horses is much impaired in this Kingdome, to the great prejudice thereof. And whereas also divers have and yet do use the like barbarous custome of pulling off the wooll yearly from living shæp, in stead of clipping or shearing of them: Be it therefore enacted by the Kings most excellent Majesty, and the Lords Spiritual and Temporall, and the Commons in this present Parliament assembled, That no person or persons whatsoever, shall after one yeare next ensuing the end of this present Parliament, plough, harrow, draw, or worke with any horse gelding, mare, garran, or colt, by the taile, nor shall cause, procure or suffer any other to plough up, or harrow his ground, or to draw any other carriages with his horses, mares, geldings, garrans, or colts, or any of them, by the taile: And that no person or persons whatsoever, shall after the end of this present Parliament, pull the wooll off any living shæp, or cause or procure to be pulled, in stead of shearing or clipping of them: And if any shall doe contrarie to this Act, and the intention thereof, that the Justices of Assize at the generall Assizes to be holden before them, and the Justices of Peace at their Quarter-Sessions, shall have power by this Act, to enquire of, heare, and determine all and every offence and offences done contrary to this present Act, and to punish the offenders which shall do contrary to the same, by fine and imprisonment, as they in their discretion

discretion shall think fit.

CAP. XVI.

An Act for the suppressing of Cofherers, and idle Wand'ers.

VV Hereas there are many young Gentlemen of this Kingdome that have little or nothing to live on of their owne and will not apply themselves to labour, or other honest industrious courses to support themselves, but doe live idely and inordinately, coshering upon the country, and selling themselves, their followers, their horses and their gray-hounds upon the poore inhabitants, sometimes exacting mony from them, to spare them and their tenants, and to goe elsewhere to their Caugh and Adraugh, viz. supper and Breakefast, and sometimes craving helps from them: all which the poore people dare not deny them, sometimes for shame, but most commonly for feare of mischief to be done or procured them so refusing; and therefore doe beare it, although unwillingly, and many times when they are scarce able so to doe, and yet dare not complaine for feare of the inconveniences aforesaid, and to that end doe make cuts, levies, and plotments upon themselves to pay them, and give such entertainment and helps, to the utter impoverishing and disabling of the poore Inhabitants to pay their duties to the Kings Majestie, and their rents unto their Land-lords: And by this lawlesse kind of life of these idle Gentlemen and others being commonly active young men, and such as seek to have many followers and dependants upon them, many other Inconveniences are like to arise: for they are apt upon the least occasion of disturbance or Insurrection, to rise and make bootie of his Majesties loyall subjects, and to be heads and leaders of out-lawes and rebels, and in the mean time do and must sometimes support their excessive and expencefull drinking and gaming, by secret stealths, or growing into debts, oftentimes filch and stand upon their keeping and are not amenable to law.

For prevention of which inconveniences, Be it enacted by the Kings most excellent Majestie, his Lords Spirituall and Temporall, and the Commons in this Present Parliament assembled, and by authority of the same, that if any person or persons after the feast of Easter which shall be in the year of our Lord God one thousand six hundred thirty five, that hath no means of abilitie of his owne, or sufficient means of support from his parents and kindred, that shall walke up and downe the countie with their cosherers or kindred and retinue, with one or more gray-hound or gray-hounds, or otherwise: or that shall cosher, lodge, or celsse themselves, their followers, their horses, or their gray-hounds upon the inhabitants of the countie: or shall directly or indirectly exact meat, or drink or money from them, or shall crave any helps in such sort as the poore people dare not denie the same for feare of some scandalous rime or long to be made upon them, or some worse inconveniencie to be done them: That it shall be lawfull for every Justice of Peace of each County within the Realm of Ireland, and for the Justices of Assize in their severall Circuits, to apprehend or cause to be apprehended all such person or persons, and him or them to binde to their loialtie and allegiance or allegiances, or to the good behaviour, as in the discretion of such Justices shall seem meet: And to commit the said persons to the common gaole of the said countie, untill he, or they shall find bonds by recognizance, as aforesaid with very good sureties: which Justice of the peace shall return all and every such bonds or recognizances so by him to be taken, at the next generall Sessions of the peace for the said countie, where the same shall be taken,

And

And all Sheriffes, Bailiffes Constables, Probosts, Marshalls, and other his Majesties loyall Subjects, are required to be aiding, assisting and helpfull to every Justice of the peace, and Justices of Assize, in the apprehending of the said Colherers and wandring Idlers, when they shall be thereunto required, upon pain of such fine or fines to be set upon them for their neglect, as upon conviction before the Justices of the Peace, at their generall Sessions of the Peace or before the Justices of Assize at their discretion, shall be set upon them for their said default.

CAP. XVII.

An Act to prevent the unprofitable custom of burning of Corne in the Straw.

Vhereas there is in the remote parts of this Kingdome of Ireland commonly a great death of Cattell yearly, which for the most part happeneth by reason of the ill husbandrie and improvident care of the owners, that neither provide fodder, nor stober for them in winter, nor houses to put them in extremitie of stormy cold weather, but a naturall lazie disposition possessing them, that will not build Barnes to house and thresh their Corn in, or houses to keep their Cattell from the violence of such weather, but the better to enable them to be sitting from their lands, and to deceive his Majestie of such debts as they may be owing at any time, and their Land-lords of their rents, doe for a great part in stead of threshing, burn their Corn in the straw thereby consuming the straw, which might relieve their Cattell in winter, and afford materials towards the covering or thatching their houses, and spoiling the Corne, making it black, loathsome, and filthy.

For prevention of which unprofitable and uncebill customes, Be it enacted by the Kings most excellent Majestie, his Lords Spirituall and temporall, and the Commons in this present Parliament assembled, and by the authority of the same, that no manner of person or persons whatsoever, after six months next after the end of this Session of Parliament, doe, or shall by himselfe, wife, children, or servants, tenants, or any of them, burne, or cause to be burned, any Corne, or Graine in the straw, of what kind soever, upon pain of imprisonment in the Common Gaole of the County, wherein the offence shall be committed, for the space of ten dayes, without baile or mainprise, for the first offence, and the delinquent to pay the charge of sending him, or them, to the Gaole, as aforesaid, before he or they be thence enlarged: And for the second offence, to be imprisoned by the space of one whole month, without baile or mainprise, and to pay the charges, as aforesaid: And for the third offence, to forfeit forty shillings, and to be bound unto the good behaviour, and to pay the charges, as aforesaid, the said forty shillings to be paid towards the relief of the prisoners in the said Gaole, and to be payed unto the hands of the Mayor, or chief Magistrate of the place where such Gaole is, or shall be, (before the offender be discharged,) and at his discretion to be distributed And that it shall and may be lawfull to and for the Justices of Peace of the Countie, where such offences shall be committed, in their Sessions of the Peace to enquire, hear, and determine, of all and every the offences done and committed, against the true meaning of this Act, and at all times out of the Sessions, as well by oath, as all other lawfull means, to try and find out the truth of the said offences, & to commit the offender & offenders according to the true meaning of this Act. Provided, that in regard it many times falleth out, that in regard of the late sowing, & the coldnes of the Climat, the Corne is long and late before it ripeneth. That

That it may be lawfull for the Owner or Owners, of as much Corne of any kinde, as shall be sown after one plough yearly for the space of two years after the making of this Act, and no longer, for his and their present relief amongst them, to burn six Barges of Corn, (accompting twentie ordinarie sheaves to the Barge and no more): And that no Corne be burnt in the straw, contrary to the true meaning of this Act after the twentieth day of October during the said two years.

CAP. XVIII.

An Act restraining the abusive taking and distrayning for Herriots

FOrasmuch as the Common people of this land are much impoverished and oppressed by sundry persons, pretending Herriots to be due unto them, upon the death of every Lessee, or Tenant, in cases whereas by the lawes of this Realm no Herriot is due unto them.

For reformation whereof, Be it enacted by our Sovereign Lord the King, and by the assent of his Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, and by the authority of the same, That if any person or persons, after the end of this present Session of Parliament, shall take, levie, seize upon, or distraine any Cattell, or other goods whatsoever, upon pretence of a Herriot, whereas by the Lawes of this Realm no Herriot is due: That in all such cases all and every such person and persons, so taking, levying, seizing upon, or distraining, any Cattell, or other goods, shall forfeit and lose Forty shillings sterling for each time so taking, levying, seizing upon, or distraining any Cattell, or other goods, and over that, restore unto the partie grieved, the Cattell, or other goods so taken, and render him treble damages, in any suit to be brought by him, in any of his Majesties Courts for the same, by bill or plaint: And the one moiety of the said forfeiture to be to the partie grieved, or such other as will sue for the same, in any of his Majesties Courts by bill, or plaint, And the other moiety to his Majesty, his Heires and Successors, wherein no protection, essoine, or wager of Law shall be admitted or allowed.

Provided alwayes, That this present Act, or any thing therein contained, doe not extend to any person or persons in case where a Herriot is agreed upon, betwixt any Lessor or Lessee, and specially reserved by writing: Neither doe extend to every Lord and every Tenant, where a Herriot service, or a Herriot custom, hath heretofore been accustomably paid or due by the Law.

CAP. XIX.

An Act for the Kings Majesties Most Gracious, generall and [free pardon.

Statuta, Actus, Ordinationes & Provisiones Edita in secunda Sessione Parliamenti illustrissimi ac invictissimi Principis Domini nostri Caroli Dei gratia Angliæ, Scotiæ, Franciæ & Hiberniæ Regis, fidei defensoris, &c. virtute commissionis & mandati dicti Domini Regis, sub magno sigillo suo Angliæ, apud castrum Dublin, die Veneris, viz. vicesimo die mensis Martii, Anno Regni dicti Domini Regis Angliæ, Scotiæ, Franciæ & Hiberniæ decimo quinto: Coram prædicto & perquam fideli Consanguineo & consiliario suo Thoma Comite Strafford, Vicecomite Wentworth, Barone de Wentworth Woodhouse, Domino Newmarsh, Overley & Raby, Domino Præsidente Consilii dicti Domini Regis stabiliti in Boreali parte Angliæ, Domino Locum-tenente Comitatus Eborum, uno de privato consilio dicti Domini Regis in Angliæ, & Domino Locum-tenente generali & Governatore generali Regni sui Hiberniæ, tento & ibidem continuato usque ad diem Mercurii, viz. decimum septimum diem Junii tunc proxime sequentis, & abinde prorogato usque ad primum diem Octobris tunc proxime sequentis. Quod quidem Parliamentum virtute commissionis & mandati prædicti, inchoatum & primo tentum fuit apud prædictum castrum Dublin die Luna, viz. decimo sexto die Martii, Anno supradicti, coram prædictis & fidelibus Consiliariis suis Roberto Domino Dillon & Christofero Wandersford

Act.

Armigero tunc Dominis Iultitaniis suis dicti Regni sui *Hibernie*, & ibidem continuatum usque ad diem *Mercurii*, viz. decimum octavum diem ejusdem mensis *Martii*, & ad tunc prorogatum ad predictum castrum *Dublin*, usque ad predictum vicelimum diem *Martii* quod die predicta secunda sessio predicti Parliamenti inchoata & tentata fuit & ulterius prorogata prout supradictum est.

Anno XV. Car: Pr:

C A P. I.

An Act to admit the Subject to plead the General Issue in informations of Intrusion brought on the behalf of the Kings Majestie, and to retain his possession till Trial.

Eng: sta:
21 Ja: cap:
14.

In informations of Intrusion the Subject may plead the general Issue and retain the Possession till trial.

Where the Kings Majestie out of his Prerogative Royal, may enforce the Subject in Informations of Intrusion brought against him to a special pleading of his title, the Kings most Excellent Majestie out of his Gracious Disposition towards his loving Subjects, and at their humble suit being willing to remit a part of his ancient and Regal power, is well pleased that it be Enacted, And be it Enacted by the Kings most Excellent Majestie, the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That whensoever the King, his Heirs or Successors, and such from or under whom the King claimeth, and all others claiming under the same title, under which the King claimeth, hath been or shall be out of possession by the space of twenty years, or hath not, or shall not have taken the profits of any Lands, Tenements or Hereditaments, within the space of twenty years before any Information of Intrusion brought, or to be brought to recover the same: that in every such case, the Defendant or the Defendants may plead the General Issue, if he or they so think fit, and shall not be pressed to plead specially, and that in such cases, the Defendant or Defendants shall retain the possession he or they had at the time of such Information exhibited, until the title be tried, found, or adjudged for the King, And be it further Enacted, That where an Information of Intrusion may fitly and aptly be brought on the Kings behalf, that no Scire facias shall be brought, whereunto the Subject shall be forced to a special pleading, and be deprived of the Grace intended by this Act.

C A P. II.

An Act for Abridging of Proclamations upon Fines, to be levied at the Common Law.

Eng: sta:
4- He: 7:
cap: 24- 3:
Ed: 1 cap:
18. 1: 11:
3: cap: 7:
El: 3: 1:
cap 2.

A fine levied in Common Pleas shall be proclaimed onely every Term once for four Terms.

Whereas a Statute made within the Kingdom of England, in the fourth year of King Henry the Seventh, hath Ordained that every fine to be levied with Proclamations in the Kings Court, before his Justices of the Common Pleas, should be proclaimed in the same Court that Term in which it is ingrossed, and in three Terms then next following, at four several days in every Term, by reason whereof they ought to be proclaimed four times in every of the four several Terms, and that during the time of proclaiming of such fines, all Pleas should cease, which to do according to the said Statute, considering the number of fines which are like hereafter to be levied, would require several days in every Term, and be some prejudice and interruption to the Causes and Suits, in the said Court of Common Pleas within this Kingdom, and also give occasions of sundry errors through the negligence and misprisions of Clerks, in misentering the same, and otherwise, whereby the fines may be reversed: Be it therefore Enacted by the Kings most Excellent Majestie, the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by Authority of the same, that all fines with Proclamations from and after the Feast of Easter next ensuing, to be levied in the said Court, shall be proclaimed onely four times, that is to say, once in the Term wherein it is Ingrossed, and once in every

every of the three Terms, holden next after the same Ingrossing, and that every Fine proclaimed (as aforesaid) shall be of as great force and effect in Law, to all intents and purposes, as if the same had been sixteen times proclaimed, according to the Statutes heretofore made.

CAP. III.

An Act for the relief of Patentees, Tenants and Farmers of Crowne lands or other profits or Lands within the Survey of the Court of Wards and Liveries, in cases of forfeiture for non payment of their Rents, or other service or duty.

FOrasmuch as the Kings Majestie out of his gracious disposition is and ever hath been averse from taking any advantage, howsoever lawfull and just, against any of his subjects, growing by any forfeiture, breach of Condition, or strict interpretation of his highnesse Grants, or Letters Patents, or the Grants or Letters Patents of any of his Royal Predecessors of any manors, Lands, Tenements or hereditaments, and yet the Grants or Patents, deriving their Estates by or from his Majestie or his predecessors, have been too apt and ready to exact the advantage of such forfeiture, where his Majestie himselfe or his Predecessors have not required the same, which hath been ever held an unequal and extream course, and hath many times been relieved by Suits in Courts of Equity, though with the great charge and trouble of the parties indangered thereby: For remedy whereof, as well where the King or any of his Predecessors or Successors, have granted or shall grant the said Manors, Lands, Tenements or Hereditaments, or any part thereof, or the Reversion or any part thereof to any other, as where the Reversion, Remainder, or Estate thereof, is or shall be in the Kings Majestie or his Successors, in the right of the Crown of Ireland, or otherwise, his Majestie of his abundant grace towards his loving Subjects, is graciously pleased that it be Enacted, and be it enacted by the Kings most Excellent Majestie, by and with the assent of the Lords Spirituall and Temporall and Commons in this present Parliament Assembled, and by the Authority of the same, that if any person or persons, Bodies Politick or Corporate having, holding, or possessing, or which hereafter shall have, hold or possess any Manors, Lands, Tenements or Hereditaments, by virtue or colour of any original Grant or Lease or Assignment of the same, made by the Kings Majestie or any of his Predecessors, or to be made by his said Majestie or any of his Successors, for any number of years, for Life or Lives, in Fee tail or Fee simple, or other Estate whereupon any Rent Service, or other duty hath been, is or shall be reserved or payable, with or under any Condition or Limitation, of Reentry Cesser, or to be voyd for default of payment of such Rent, or performance of such Service or Duty, heretofore hath made, or any other by, from or under whom he claimeth, hath made, or any which hereafter shall have, hold or possess, shall make any default therein, and yet after such default made, such Rent, Service or other duty hath been or shall be answered, paid or done unto his Majestie or any of his Predecessors or Successors, into his or their Receipt of the Exchequer or Court of Wards, or to any other having Authority to receive the same as the case shall require before any advantage of such forfeiture, or cause of forfeiture hath been or shall be taken, and before any Commission awarded to enquire, or other process Issued touching the said forfeiture or non-payment of Rent, that in all such cases no advantage shall be taken by his Majestie, his Heirs or Successors of, for or by reason of any such forfeiture or cause of forfeiture. And be it further enacted That no

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person or persons claiming, or which after wards shall claim by, from or under his Majestie or any of his Predecessors or Successors, at any time after such cause or title of forfeiture given, shall in any wise have or take any benefit or advantage, by reason, means or colour of such default made or to be made, but that every such Estate forfeited or forfeitable, by means or occasion, of such default of payment of Rent or Performance of service, or other duty shall be adjudged to continue and have his being, as if no such default or cause of forfeiture had been had or made, any Law, Custome, or Usage, to the contrary thereof in any wise notwithstanding.

CAP. IV.

An Act touching the finding of Offices before the Escheator, &c.

Eng. St
Ed 6 Cap.
8.

Lessers for
years or co
pyholders
being put
forth of pos
session by
the King by
the Com
mon Law
shall have
no remedy.

V Here many and divers persons holding or that have holden Lands, Tenements or Hereditaments, some for term of years, and some by copy of Court Roll have been expelled, and put off their terms and holds by reason of Inquisitions or Offices found before Escheators, Commissioners, and others Containing Tenures of the King in Capite, intituling the King to the wardship or custody of such Lands or Tenements, by reason that such Leases for Term of years, or interest by copy of Court Roll of such persons have not been found in such Inquisitions or Offices, after which expulsion or putting out the said persons have been without remedy for the obtaining of the said Farms, and holds, during the Kings possession therein, and can have no Travers, Monstrance de droit, nor other remedy for the same, because their said Interest is but a Chattle in the Law, or Customary hold, and no estate of Freehold, and also where any person or persons hath any Rent, Common, Office, Fee, or profit Apprendre of any Estate of Freehold, or for years or otherwise out of such Lands or Tenements, specified in such Office or Inquisition, the said Rent, Common, Office Fee or profit Apprendre not found in the same Office or Offices, such persons are in like manner without remedy to obtain or have the said Rent, Common, Office, Fee or profit Apprendre by any Travers or other speedy means, without great and excessive charges during the Kings interest therein, by force of such Inquisition or Office: For remedy whereof, be it Enacted by the authority of this present Parliament, that where any such Office or Inquisition is or shall be found, omitting such titles, Interests or matters (as is aforesaid) that in all such Cases every Lessee, Tenant for term of years, or Copy holder, and every such person or persons that have or shall have any Interest to any Rent, Common, Office, Fee or other profit Apprendre for term of years, life or otherwise, out of any of the Lands, Tenements or Hereditaments contained in such Office or Inquisition, where the King his heirs or Successors, is or shall be intituled as aforesaid, to any such Lands, Tenements or Hereditaments, shall upon shewing & proving of his or their said title and interest in his Majesties Court of wards and Liveries have, hold, enjoy and perceive all and every their Leases and Interests for term of years, or by Copy of Court roll, Rents, Commons, Offices, Fees, and profits Apprendre in such manner, form, estate and condition, as they and every of them should or might have done, in case there had been no such Office or Inquisition found, and as they should or lawfully might or ought to have done, in case such Lease, Interest or Copy of Court roll, Rent, Common, Office, Fee, or profit Apprendre had been found in such Office or Inquisition, any Law, Custom or Usage to the contrary heretofore used in such cases, in any

any wise notwithstanding. And also where it is or shall be found for the King, his Heires or successors, that the heir or heirs of his Tenant or Tenants, is or shall be within Age, where indeed such Heir or Heirs is or shall be at the same time of full Age, or of more or greater Age than is or shall be contained within such Office. Be it further Enacted by the Authority aforesaid, That in every such case, such Heir and Heirs shall and may at his or their very full age or after, prosecute a Writ of Estate probanda, and sue his or their Liberty or Dufferlemain as his or their cases shall lie, and have the profits of his or their Lands, Tenements or Hereditaments, from the time of his or their very full age, any such untrue Office or Inquisition, or any Law or Custom to the contrary in any wise notwithstanding. And also where one person or more is or shall be found Heir to the Kings Tenant by Office or Inquisition, where any other person is or shall be Heir, or if one person or more be or shall be found Heir by Office or Inquisition in one County, and another person or persons is or shall be found Heir to the same person in another County, or if any person be or shall be untruly found Lunatick, Idiot or dead: Be it Enacted by the Authority aforesaid, that every person and persons grieved or to be grieved by any such Office or Inquisition, shall and may have his or their Traverse to the same, immediately or after, at his or their pleasure, and proceed to tryal therein, and have like remedy and advantage as in other cases of Traverse upon untrue Inquisitions or Offices found, any Law, Usage or Custom to the contrary in any wise notwithstanding. And further, Be it Enacted by the Authority aforesaid, that where any Inquisition or Office is or shall be found by these words or like, quod de quo vel de quibus tenement, prædict. tenent. jurator. præd. ignorant, or else found holden of the King per que servic. ignorant, or such like, that in such case such Tenure so uncertainly found, de quo vel de quibus tenement. præd. tenent. ignorant. shall not be taken for any immediate tenure of the King, nor such tenure so found of the King per que servicia ignorant. shall not be taken any tenure in capite, but in such cases a Writ of melius inquirendum, to be awarded as hath been accustomed in old time, any usage of later time to the contrary notwithstanding; but if upon the melius inquirendum it shall be found by these words or the like, viz. de quo vel de quibus tenementa prædict. tenentur jurator. ignorant. or a tenure found of the King per que servicia ignorant, then in both these cases the same shall be held to be a Tenure in capite by Knights service, until such Offices shall be avoided by Traverse or otherwise. And be it further Enacted by the Authority aforesaid, that where it is or shall be found by any Office or Inquisition, that any Lands, Tenements or Hereditaments, are or shall be descended, remained or come to any Heir within age and in the Kings Ward, or that ought to be in the Kings Ward, and that such Lands, Tenements or Hereditaments are holden of the King immediately, where in deed the same are or shall be holden of some other common person, and not of the King immediately: That in such case, such Heir or Heirs shall and may have their Traverse to the same within age, and like remedy and restitution upon his or their title found or judged for him or them therein, as hath been accustomed and used in other cases of Traverses, any Law, Usage or Custome to the contrary in any wise notwithstanding. Also where the Kings Majesty by his Prerogative ought to have as well such Lands and Tenements as be holden of other persons, as holden of himself immediately, whereof his Tenant

A remedy
where an
heir of full
age shall be
found with-
in age.

Traversers to
an untrue
office found
and the
death of the
things ten-
ant.

Traversers to
an office.

Traversers to
an office
where a
wrong
tenure is
found.

A remedy
for the rents
of the mean
Lords
where the
King hath
the ward-
ship.

An office
found before
the end of
this present
Parliament
being Anno
Dom. 1640.

nant holding of him in chief dieth seiled, his Heir being within age, until such time as Liberty be sued by such Heir, and that the mean Lords of whom the said other Lands and Tenements of such Heir be holden used to spare the Rents due to them for the same Lands or Tenements, holden of them during the Kings possession, and when such Heir hath sued his or their Liberty, they use by distress or otherwise to compel the same Heir to pay to them the Arrearages of such Rents, for such time as the said Lands or Tenements were in the Kings possession by such minority where they should have sued by petition to the Kings Majesty, to have obtained the same out of the Kings hands, if they would have the same, which is to the great Detriment, loss and hindrance of such Heir and Heirs; for redress whereof, Be it Enacted by the Authority of this present Parliament, That from henceforth such mean Lords during such minority shall have, receive and take such Rents by the hands of such of the Kings Officers, Lessees or Committees, as shall be appointed to have, receive and take the Issues, Rents and Profits of the same Lands and Tenements so holden of such mean Lord, during the minority and non-age of such Heir and Heirs, and until such Heir and Heirs sue his or their Liberty, and that such Heir and Heirs, until such time as he or they shall have sued their Liberty, or might conveniently have sued their liberty shall be there of clearly discharged, and that such Officer or Officers, Lessees or Committees, shall upon request made, pay the same to such mean Lords, they giving to such Officer, Lessee or Committee, a sufficient Acquittance or Acquittances for the receipt of the same, and that such payment thereof made with Acquittance or Acquittances thereof shewed, shall be to such Officers a sufficient Discharge in that behalf, any law, usage or custom heretofore had or used to the contrary notwithstanding. Provided always, and it is Enacted by the Authority aforesaid, That this Act or any thing therein contained, shall not in any wise extend to any Inquisition or Office taken or found at any time before the end of this present Parliament, nor to hinder, prejudice or take away the title, interest or possession of our Sovereign Lord the King, or of any other person or persons grown or come by virtue, mean or occasion of any Inquisition or Office taken or found before the same time, but that as well our said Sovereign Lord the King, as all other person and persons having any Title, Estate or Possession, by virtue, mean or occasion of any inquisition or office found before the same time, shall and may have, hold and enjoy the same in like manner and form, as though this Act had never been had or made, any thing in the same Act to the contrary in any wise notwithstanding. Provided always, and it is Enacted by the Authority aforesaid, That in all such cases as any person or persons shall be enabled by this Act to have any Traverse, that then he or they, that shall pursue such Traverse, shall first exhibit his or their Bill in his Majesties Court of Wards and Liveries, thereby praying to be admitted to the same, and being thereunto admitted by the said Court, shall and may then proceed to his Traverse, and not otherwise, any law, usage or custom to the contrary notwithstanding. Provided also, and it is Enacted by the authority aforesaid, That if after any judgment shall be given upon any Traverse that shall be tendered or sued by virtue or mean of this Act, it shall appear by any matter of Record, that the King hath any other former Title, Right or Interest, to the Mannors, Lands, Tenements or other Hereditaments, mentioned in the same Traverse, that

that then the same Title, Right and Interest shall be saved to the King, the said Traverse and Judgment thereupon given any wise notwithstanding.

CAP. V.

An Act against Discontinuances of Writs of Error in the Court of Exchequer and for the better expedition in giving judgment therein.

VV Hereas by an Estatute made within the Kingdom of England in the One & thirtieth Year of the Reign of King Edward the Third, It is Enacted that upon complaint concerning error made in the Erchequer, touching the King or other persons, the Lord Chancellor and Lord Treasurer shall do to come before them in any Chamber of Council nigh the Erchequer the Record and process of the Erchequer, & takeing to them such Justices and other sage persons, as to them shall be thought meet, shall hear and determine such errors, as by the said Estatute more at large appeareth: And whereas those two being great Officers of the Realm are imployed not onely in their severall Offices and places of Justice elsewhere, but also for other weighty affairs of this Realm in Council attendant on the person of the Kings Lieutenant, or other cheif Governour, and otherwise, and many times upon sudden warning are called away in such wise, as they both many times and sometimes neither of them can be present in the Erchequer at their day of adjournment, or other proceedings in such suit of error, and then by not coming of them at the day of adjournment or other times of proceeding, every such Writ of error depending, is by the Lawes of this Realm discontinued, or the party cannot proceed but must begin his suit of new, to the great loss of the party, and hindrance of Justice: for remedy whereof, be it Ordained and Enacted by the Kings most Excellent Majesty, the Lords Spirituall and Temporall and the Commons in this present Parliament Assembled, and by Authority of the same, that upon complaint of such errors in the Erchequer the Lord Chancellor, and Lord Treasurer or in his absence the Vice-treasurer shall have power by this Act to hear and determine such errors as by the said Statute the Lord Chancellor, and Lord Treasurer were appointed to heare and determine: That the not condoning of the Lord Chancellor and Lord Treasurer or either of them at the day of Adjournment in any such suit of error depending by virtue of the said former Estatute, shall not be any discontinuance of any such writ of error, but if both the cheif Justices of either Bench, or any one of the said great Officers, the Lord Chancellour or Lord Treasurer, or the Vice-Treasurer shall come to the Erchequer Chamber, and there be present at the day of Adjournment, in such suit of error it shall be no discontinuance, but the suit shall proceed in Law to all intents and purposes, as if both the Lord Chancellour and Treasurer had comen and been present at the day and place of Adjournment, and also that judgement shall and may be given by the Lord Chancellour, Lord treasurer or Vice-Treasurer in absence of the Lord Treasurer, and in the presence and by the advice of both the Chief Justices of either Bench, in every or any such suit or Writ of error, & that all and every such judgements so hereafter to be given, shall be good, valid and effectuell in the Law to all intents and purposes.

CAP. VI.

An Act for strengthening of Letters Patents past and to be past, upon any of His Majesties Commissions of Grace for the Remedy of defective Titles, &c.

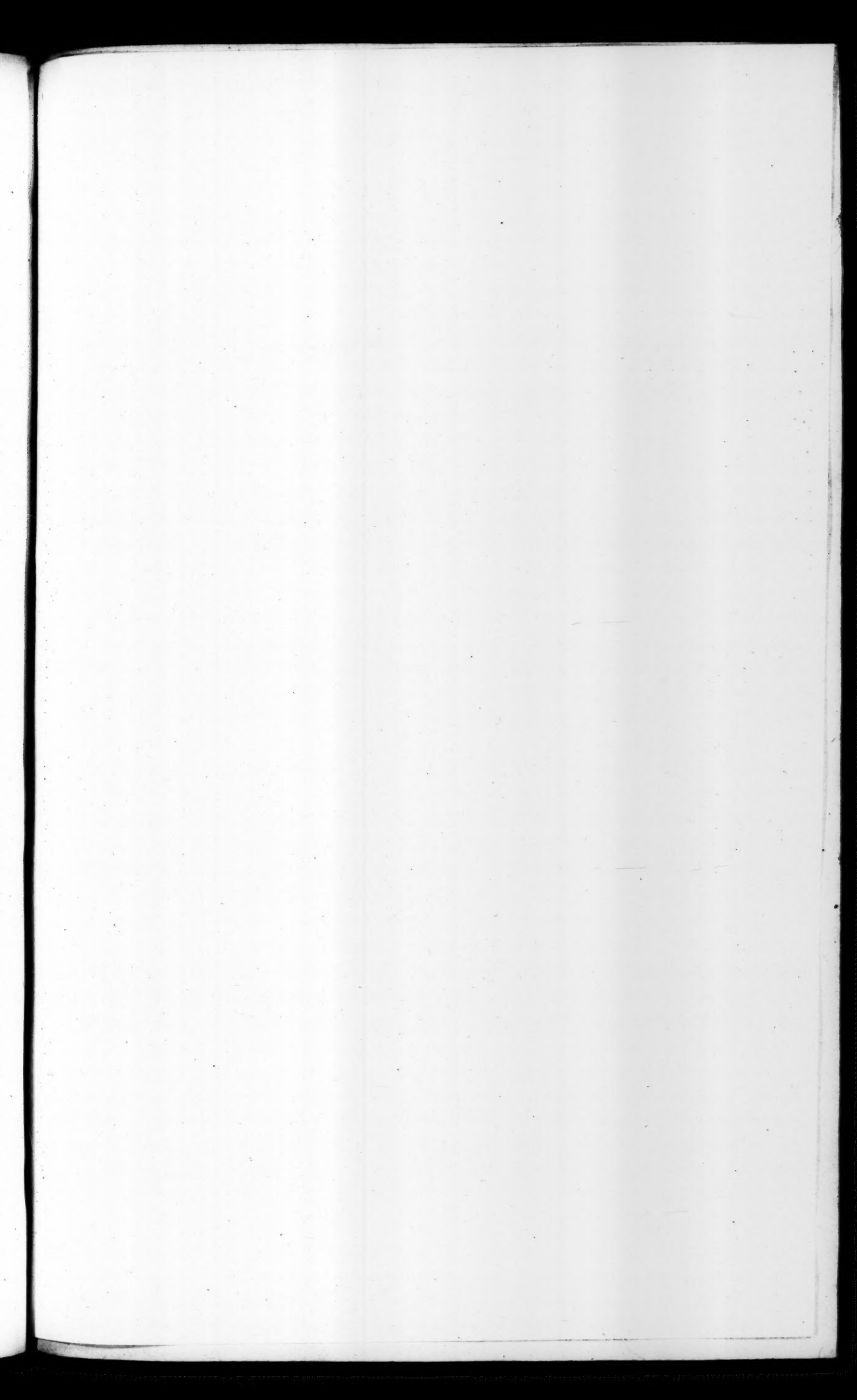
VV Hereas the Kings most Excellent Majesty in his speciall care, grace and goodnes towards his loving Subjects of this his Kingdom of Ireland, of his owne meere and free motion

Eng St. 31.
C. 1. : Cap.
1. C. St.
18. C. 1. Cap.

motion hath of late granted divers Commissions usually called Com-
 missions of Grace for remedy of defective Titles within this Realm
 for securing the Estates and Possessions, or pretended or reputed E-
 states and possessions of his said Subjects, And whereas divers Lands
 and Hereditaments, have been past or mentioned to have been past, by
 sundry new Letters Patents respectibely upon some one or more of the
 said Commissions, and some Letters Patents have been past at divers
 times to one and the same persons, bodies politick or incorporate, of
 one & the same things, for their more security as well upon some one or
 more of the said former Commissions, as after upon the Latter Commis-
 sion of grace bearing date at Canterbury in the Realm of England, the
 first day of September in the fourteenth year of his said Majesties Reign,
 & whereas also a great part of the Lands & Hereditaments within this
 Kingdom, which are not yet past upon any of the said Commissions
 of Grace, and some part of those lands and Hereditaments which are al-
 ready past, or mentioned to have been past upon some of the said for-
 mer Commissions of Grace, but not upon the later, may hereafter be
 past either upon the now Commission of Grace, or upon some other
 like Commission or Commissions which hereafter shall or may be gran-
 ted, and whereas likewise his most Sacred Majesty hath been graciously
 pleased to secure his said Subjects estates, or pretended, or reputed
 estates past or to be past as aforesaid, or mentioned to be past upon the
 said Commissions, or some or any of them, by divers advantageous
 Statutes Enacted here the last Parliament in the Tenth year of his
 prosperous Reign: and whereas his Highness in his further Princely
 care & abundant favour and Grace towards his good & loving Sub-
 jects of this Realm, for the better securing of their several Estates and
 Possessions and pretended or reputed Estates and possessions, is gra-
 ciously pleased now that it be Enacted & be it enacted by the Kings most
 Excellent Majesty, the Lords spirituall & Temporall, & the Commons in
 this present Parliament Assembled, and by the Authority of the same,
 that all and every Letters Patents which are already past or hereafter
 shall be past under the great Seale of this Kingdom of Ireland, of any
 Castles, Honors, Mannors, Towns, Villages, Hamlets, Lands,
 Tenements, Franchises, Liberties, Immunities, or other Heredita-
 ments, Spirituall or Temporall, within this Kingdom, of what na-
 ture, quality, kind or sort soever, by virtue or pretence of, or refe-
 rence unto any Commission of Grace now in being, or hereafter to
 be within this Kingdom, or any other former Commission or Com-
 missions, granted since the beginning of his now Majesties Reign, to
 any person or persons, bodies politick or incorporate, Spirituall or
 Temporall, other than those Letters Patents, past, or hereafter to
 be past, at diverse times, of one and the same things, or of one and
 the same and other things, to one and the same persons, Bodies poli-
 tick or incorporate, their Heirs, Successors, Executors or Assigns
 respectibely, or to their or any of their use or uses, or in trust for
 them, or any of them, or with Remainder or Remainders over, or o-
 therwise by virtue or pretence of, or reference unto any such former
 and latter Commission or Commissions of Grace, or which hereafter
 shall or may be past, by virtue or pretence of, or reference unto the
 Commission of Grace now in being, or any other Commission of
 Grace hereafter to be, and likewise all and every Clause, Article,
 Sentence, Word, matter and thing in every of the said Letters
 Patents contained or mentioned, or to be contained or mentioned re-
 spectibely, other than in the said latter Letters Patents, shall be by

authority of this present Parliament Enacted, and to be and shall be deemed and adjudged to be good, sufficient, effectual, and indefeasible to all intents, constructions and purposes in manner following (that is to say) for and concerning all and every the lands, liberties, franchises, immunities, and other hereditaments and premises whatsoever, lying or being within every or any of the late Plantations within this Kingdom made by our late Sovereign Lady Queen Elizabeth, our late most gracious Lord King James, & made or to be made by the Kings most Excellent Majesty that now is, or by any of them as well against his Majesty, his Heirs and Successors, as against all and every other person and persons, Bodies politick and incorporate, as well Spiritual as Temporal whatsoever: And for and concerning all the rest of the premises against his Majesty, his Heirs and Successors onely, notwithstanding any defect whatsoever, or any statute, ordinance, law, cause, matter or thing, which might or may any way impeach, infeeble, avoid or destroy any of the said Letters Patents in all or any point or points whatsoever for and according to such, and the same Estate, and Estates, with Remainder and Remainders over or otherwise, and to such and the same use and uses, and in such and the same manner and form, according to the true meaning and purport of every of the same Letters Patents as are or shall be limited, mentioned or declared in every of the Letters Patents aforesaid respectively: And that as well all and every such Patentee and Patentees as those in remainder limited or declared, in or by such Letters Patents, their and every of their Heirs, Successors, Executors, Administrators and Assigns, and every of them respectively from and immediately after the new passing or sealing of every or any such Letters Patents past or to be past as aforesaid, shall and may thenceforth peaceably and quietly have, hold, possess and enjoy, all and singular and every the lands, tenements, hereditaments, and other the premises lying or being within all and every, or any of the Plantations aforesaid, and specified or mentioned in any of the said Letters Patents, to have been granted or hereafter to be granted, or mentioned to be granted as aforesaid, as well against his Majesty, his Heirs and Successors, as against all and every other person and persons, Bodies politick and incorporate, Spiritual and Temporal whatsoever, and all other the lands, tenements, hereditaments, and premises mentioned to have been granted, or hereafter to be granted, or mentioned to be granted in any of the said Letters Patents as aforesaid, onely against his Majesty, his Heirs and Successors, for such Estate and Estates with remainder and remainders over, or otherwise and to such use and uses, and in such manner and form as are, or shall be limited, mentioned or declared, in every of the said Letters Patents respectively, freed and discharged of and from, and all Rents, summs of Money, conditions, covenants, incumbrances, and demands whatsoever, other than the rents, reservations, services, conditions, covenants and charges, which are or shall be reserved, or saved, or mentioned to be reserved or saved in or by every of the said Letters Patents respectively. And concerning such Letters Patents as have already been past, or hereafter shall be past diverse times of one & the same things, or of one & the same & other things to one and the same persons, Body politick or incorporate, their heirs, successors, or assigns respectively, or to their or any of their use or uses or in trust for them, or any of them, or with Remainder or Remainders over or otherwise, by virtue, or presence of

or reference unto any such former and latter Commission and Commissions of Grace, or which hereafter shall or may be past by virtue of pretence of or reference unto the Commission of Grace now in being or any other Commission of Grace hereafter to be: Be it Enacted by the authority aforesaid that onely the latter of such Letters Patents and all and every Clause, Article, Sentence, Word, matter and thing in every such latter Letters Patents contained or specified, or to be contained or specified, be and for ever shall be deemed and adjudged to be good, sufficient, effectual and indefeazable to all intents, Constructions and purposes in manner and form following (that is to say) for and concerning all and every the Lands, Libertys franchises, Immunities, and other Hereditaments, and premisses whatsoever in such latter Letters Patents contained or specified, or to be contained or specified lying or being within every or any the late Plantations made by our late Soberaign Lady Queen Elizabeth, our late most gracious Lord King James, and made or to be made by the Kings most Excellent Majestie that now is, or by any of them aswell against his Majestie his Heires and Successors, as against all and every other person & persons, Bodies politick & incorporate aswell Spiritual as Temporal whatsoever, and for concerning all the rest of the premisses in such latter Letters Patents contained or specified already made or hereafter to be made, against his Majestie his Heires and Successors onely, notwithstanding any defect whatsoever, or any Statute, Ordinance, Law, Cause, matter or thing which might or may any way impeach, infesse, avoid, or destroy any of the said latter letters patents in all or any point or points whatsoever, for and according to such and the same Estate and Estates with Remainder and Remainders over or otherwayes, and to such and the same use and uses, and in such and the same manner and form according to the true meaning and purport of every of the same latter Letters Patents as are, or shall be limited, mentioned, or declared respectibely in every of the said later letters patents, and that aswell all and every such latter Patentes, & Patentes as those in remainder limited, or declared in or by such later letters patents, Their and every of their Heires Successors, Executors, Administrators, and Assignes respectibely from and immediatly after the new passing or sealing of every or any such latter letters Patents past or to be past (as aforesaid) shall and may thenceforth peaceably and quietly have, hold, possess, and enjoy all & singular the Lands, Tenements, & Hereditaments, & other the premisses lying or being within all & every or any the Plantations aforesaid, & specified or mentioned in any of the said latter Letters Patents to have been granted or hereafter to be granted or mentioned to be granted as aforesaid, as well against his Majestie his heire & successors as against all & every other person and persons Bodies politick and incorporate, Spiritual and Temporal whatsoever, and all other the Lands Tenements, Hereditaments and premisses mentioned to have been granted or hereafter to be granted, or mentioned to be granted in any of the said latter Letters Patents (as aforesaid) onely against his Majestie his Heires & Successors for such Estate, & Estates, with remainder & remainders over or otherwise, and to such use and uses, and in such manner and form as are or shall be limited, mentioned, or declared in every of the said latter Letters Patents respectibely, freed and discharged of and from all Rents, summs of mony, Conditions, Covenants, Incumbrances and demands whatsoever, other than the Rents, Reservations, Services, Conditions, Covenants, and charges which are,

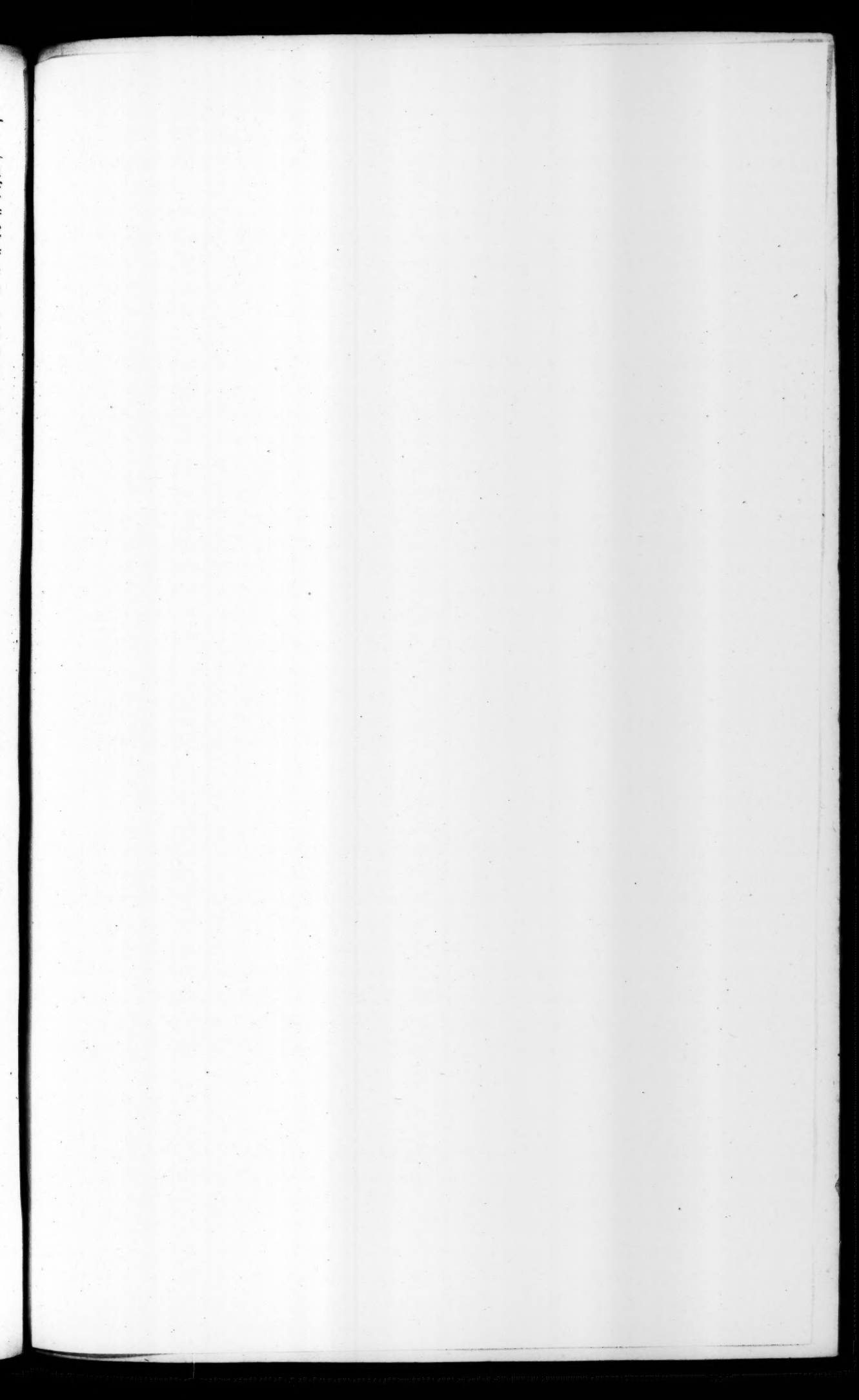


or shall be reserved, or saved or mentioned to be reserved or saved, in or by every of the said later Letters Patents respectively, and likewise that every tenure now or heretofore mentioned, or hereafter to be mentioned in any Letters Patents already made, or hereafter to be made, or in any other Record or Records to be of the King by Knights Service in capite, or by Common Knights Service and not in in capite, or de capitalibus Dominis, if the same prove to be a tenure of the King by Knights Service in capite, or by Common Knights Service and not in capite, wherein no mention is or shall be made by what part of a Knights Fee, the same tenure is or shall be by the authority aforesaid Enacted and be declared, explained and adjudged to be a tenure in capite, by one whole Knights Fee onely, if the Land and Hereditaments mentioned or to be mentioned in the same Letters Patents or other Record or Records to be held by either of these tenures amount unto the clear yearly value of foure hundred pounds English money, and no more, and so pro rata more or less according to the clear yearly value of the Lands, or Hereditaments, held or to be held by such tenure or tenures: provided alwayes that the reliefs of Dukes, Marqueses, Earls, Viscounts, and Barons, shall be and continue as anciently they have been before the making of this Act. And be it further Enacted, Adjudged, and Declared, by the Kings most excellent Majesty and Authority aforesaid that his said Majesty, his Heirs and Successours respectively be and shall be deemed, adjudged seised and vested in the actual and real seisin and possession of a good lawful indefeazable and absolute estate to him or them, his or their Heirs, and Successours, in right of his and their Imperial Crown, of and in all and singular and every the Castles, Honours, Mannors, Towns, Villages, Hamlets, Lands, Tenements, and Hereditaments, situate, lying or being in the severall Counties of Tyrone, Ardmagh, Donegal, Fermanagh, Cavan, Letchim and Longford, and likewise of all the severall Territories, precincts of Land and Countries commonly known or called by the name or names of, Ely O Carrol, alias O Carrols Country, Fercal, alias O Hollolies Country, Kilcourse, alias Jores Country, Delbin Coghlan, alias in Coghlans Country, in the Kings County upper Ossory, alias Mac Gil Patrick's Country, and Jregan, alias O Dornes Country, in the Queens County, the Murrowes, Kilbobuck, Clamhenrick, Ferianbamen, Killekeel, alias Mac Uadocks Country, Kilecoolencin, alias Coolencin, alias Mac Morris his Country, Kenilagh, alias Macdamors Country, and Brackenagh in the County of Waterford, Kinelagh, alias Conleranel the Birns Country, Colha, Shillela and the Ferry, alias Farrer in the County of Wicklow, and Jdough, alias Oough, alias Brennan in the County of Kilkenny, and also of all the severall Towns, Villages, Hamlets, Lands, Tenements, and Hereditaments known esteemed, reputed, or usually called plantation lands, in or near the Territories or Countries of Cloncolinan alias O Delaghlins Country in the County of Westmeath, and in or near the territory and Country of Jaran O Neal in or near the County of Waterford, and of and in the Towns, and Lands, of Courboy, in or near the Territory of Banelagh aforesaid, and also of all and singular the Castles, Honours, Mannors, Towns, Villages, Hamlets, lands, Tenements, and Hereditaments, in the severall Counties of Waterford, Cork, Limerick, Kerry, and Typerary, usually called, or reputed as Plantation lands or heretofore past or mentioned to have been past by letters Patents to any British undertaker or undertakers by birth,

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blood, or descent, their Heirs or Assigns respectively as Plantation lands, at every such time and times respectively whensoever any of the same before mentioned Castles, Honours, Mannors, Towns, Villages, Hamlets, Lands, Tenements, and Hereditaments, shall be within the space of five years next ensuing the end of this present Session of parliament new passed, granted, confirmed, released or assured or mentioned to be new passed, granted, confirmed, released or assured to any person or persons Bodies politick or incorporate, Spirituall or Temporall respectively by letters Patents under the great Seale of this Kingdom by vertue or pretence of or reference unto any such Commissions of Grace now being or hereafter to be within this Realm, being either former Patentees or reputed Inheritors or proprietors or by former Assignment, Distribution or appointment have taken the profits thereof, their Heires, Successors, Executors Administrators, or Assigns respectively, or being some person or persons in trust for them, or any of them, or nominated or appointed or to be nominated, or appointed, to be trusted for them or any of them, and that from and immediately after the passing or sealing of every, or any such letters Patents in manner last before specified to any of the said person or persons, Bodies politick or incorporate, that as well all and every such Patentee and Patentees, as those in remainder limited, or declared in or by such letters Patents their and every of their Heires, Successors, Executors, Administrators, and Assigns and every of them respectively, shall and may for ever thenceforth peaceably and quietly have, hold, possess, and enjoy all and singular the same Castles, Honours, Mannors, Towns, Villages; Hamlets, lands, Tenements, and Hereditaments, before specified which shall be granted, confirmed released, or assured or mentioned to be granted, confirmed, released, or assured as aforesaid for such, and the same estate and estates with Remainder and Remainders over, or otherwise, and to such and the same use and uses, and in such and the same manner and form as shall be limited, mentioned, or declared, in every of the said letters Patents, respectively to be made as aforesaid, as well against his Majesty, his Heires and Successors, as against all and every other person and persons Bodies politick and incorporate, as well Spirituall as Temporall whatsoever, freed and discharged of and from all Rents, summs of money, Conditions, Covenants, Incumbrances, and demands whatsoever, other than the Rents, Reservations, Services, Conditions, Covenants, and charges which shall be reserved, or saved or mentioned to be reserved or saved in or by every of the said letters Patents respectively, and that all and every the said letters patents as well of all and every of the same last before specified Castles, Honours, Mannors, Towns, Villages, Hamlets, lands, Tenements, and Hereditaments, as of all and singular the residue of the premises before mentioned, and every part thereof, and all and every Clause, Article, Sentence, Word, Matter and thing, in them and every of them contained or specified, or to be contained or specified, shall be alwayes taken, construed, and expounded, most liberally and beneficially for the best advantage, benefit, and auaile, of all and every such patentee and Patentees, and those in Remainder and Remainders, or otherwise limited or declared in or by such letters patents, their and every of their Heires, Successors, Executors Administrators, and Assigns, and every of them respectively, against his Majesty, his Heires and Successors forever. And be it further Enacted, adjudged, and



and declared by the authority aforesaid, that no words of Covenant, pact, agreement, or Command, nor any clause, Sentence, Article, or words purporting in substance a covenant, pact, agreement or command, mentioned or to be mentioned, in any the aforesaid Letters patents, past or to be past, by virtue or pretence of, or reference unto any of the commission or commissions aforesaid, shall be construed or expounded as a proviso or condition, and that the breach thereof, or the doing of any Act contrary to any thing commanded, agreed or covenanted for, in or by any clause, article, sentence or words in any such Letters patents, or the not doing or misdoing of any thing therein or thereby required or enjoined, shall not give cause either of avoidance or impeachment of any of the same Letters Patents in part, or in the whole, or of fine, imprisonment, or other punishment of the parties delinquent, or of any other forfeiture, penalty or loss, but only that his Majesty, his Heirs and Successors may recover such his or their reasonable damages for the same by action of covenant in any of his Majesties Courts, or English Bill in the Court of Exchequer here, as in case of breach of covenant are usual to be awarded or given in actions of covenants brought at the Common law, in any of the ordinary Courts of Justice for or upon like breach, omission, or not doing, or misdoing (as aforesaid) and no more nor otherwise: Provided always that this last clause, or any therein contained, shall not bar his Majesty, his Heirs or Successors, of any entry or replew for breach of any express condition in any the said Letters Patents expressed: And be it further Enacted, and declared by the Authority aforesaid, that as well this present Act made for the strengthening of Letters Patents, as also the three several former Acts Enacted to the same or like purpose the last Parliament, in the Tenth year of his Majesties now prosperous Reign, one whereof is Intituled, An Act for confirming of Letters Patents hereafter to be past upon his Majesties Commission of Grace for remedy of defective Titles; another is, An Act of Explanation of the former Statute last before mentioned; and the third Intituled, An Act for securing of the Estates of the Undertakers, Servitors, Natives, and others holding Lands, Tenements or Hereditaments in all and every the Plantations made by our late Sovereign Lady Queen Elizabeth, or by our late most gracious Lord King James, or the Kings most Excellent Majesty that now is, in the several Counties of Cork, Waterford, Limerick, Kerry, Tipperary, Wexford, Wickloe, Kings County, Queens County, Westmeath, Letrim, Longford, Tyrone, Ardmagh, Donnegal, Fermanagh, Cavan and Londonderry; And all and every Clause, Article, Sentence, Word, Matter and thing, in these Acts and every of them, contained or expressed, shall be expounded and construed most strong against his Majesty, his Heirs and Successors, and most favourably, liberally and beneficially, to all intents and purposes for the best advantage, benefit and avail of every such patentee and patentees, and those in remainder or use or uses, limited or declared in or by such Letters patents, their and every of their Heirs, Successors, Executors, Administrators and Assigns, and every of them respectively to whom any letters patents have been passed, or hereafter shall be past by virtue or pretence of, or reference unto any such Commission or Commissions of grace in manner before expressed: Provided nevertheless, and be it Enacted by the authority aforesaid, that this Act, nor any thing therein contained, shall not any wise bar or prejudice the Right or Title of any Archbishop, Bishop, Dean, Chapter, Archdeacon, Dignitary, Prebendary, Parson, Vicar, or other Spiritual or Ecclesiastical person to

any Mannors, lands, Tenements or Hereditaments, being the Inheritance and possession of their respective Churches or Benefices.

CAP. VII.

An Act concerning Clergy.

Eng. St. 8.
El. Cap. 4.
a 18.
Ed. 3. Cap. 7.
Ed. 3. Cap. 5.

He that is
allowed his
Clergy shall
answer to
other fel-
lonies &c.
Ed. 3. Cap.
5.
28. El. cap.
1.

FOrasmuch as heretofore some doubt hath been conceived, whether the allowance of Clergy in case of Felony, do in law acquit the Felon of all other Felonies by him formerly committed, for the clearing of which doubt; Be it Enacted and Declared by the Kings most Excellent Majesty, with the assent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by Authority of the same, that all and every person and persons which shall hereafter be admitted to have the benefit of his or their Clergy, shall notwithstanding his or their admission to the same, be put to answer to all other Felonies whereof he or they shall be hereafter indicted or appealed, and not being thereof before lawfully acquitted, convicted, attainted or pardoned, and shall in such manner and form be arraigned, tried, judged and suffer such Execution for the same, as he or they should have done, if as Clerk or Clerks convicted, they had been delivered to the Ordinary, and there had made his or their purgation.

C A P. VIII.

An Act for punishing of Offenders within the County of Dublin, and County of the City of Dublin against the Act for Keepers of Alehouses to be bound by Recognizance.

WHEREAS in the late Parliament held in this Kingdom, in the Tenth year of his Majesties Reign that now is, there was a good and profitable law made, intituled, An Act for Keepers of alehouses to be bound by Recognizance: Which law hath not wrought that good effect within the County of the City of Dublin, and County of Dublin, that was expected, for that the said Statute directeth, that every person or persons offending against the same, should be proceeded against and punished, either before the Lord Deputy, or other chief Governour or Governours, and the Council of State for the time being, or in his Majesties Court of Erchequer, or before the Justices of Assize at their general Assizes, and for that few or none of the Offenders against the Statute, have been prosecuted before the Lord Deputy and Council, or in his Majesties Court of Erchequer, for that the proceedings in the said Courts are not of so ready dispatch, as the presentments before the Justices of Assize, and for that there are no Justices of Assize which do ride within the County of Dublin, or within the County of the City of Dublin. Be it therefore Enacted by the Authority of this present Parliament, that all and every person and persons dwelling within the County of Dublin, or the County of the City of Dublin, offending contrary to the form of the said Statute, shall be proceeded against and punished either before the Lord Deputy, or other chief Governour or Governours, and Council of State there for the time being, or in his Majesties Court of Erchequer, or before the Judges of his Majesties Court of Kings Bench or Chief place, or before his Majesties Justices of the peace at the Quarter-Sessions, of the said several counties, who shall have full power and authority to hear and determine the same: And to the intent the said law may the better be put in Execution, It is further Enacted by the Authority aforesaid, that the Informer which shall cause such presentments, and informations to be made and prosecuted with effect, shall have the third part of such Fine, as shall be imposed upon such as shall offend, contrary to the purport of the said Statute.

C A P. IX.

An Act to discharge and free true men from all forfeitures for Killing such as attempt to rob or murder them.

FOrasmuch as it hath been questionable, that if any evil disposed person or persons, do attempt feloniously to rob or murder, any person or persons in or near any common High-way, Cart-way, Horse-way or Foot-way, or in their Mansions, Dwellinges or dwelling places or grounds, or that feloniously do attempt to break any dwelling-houses, in the night or day-time, should happen in his or their being in such their felonious intent and attempt, to be slain by him or them whom the said evil doers should so attempt to rob, or murder: or by any person or persons being with them in their said dwelling-houses, which the same evil doers should attempt Burglarly, or feloniously to break by night, or by day, whether the said person happening in such case, to slay any such person so attempting to commit such murder, robbery or burglary, should for the death of such evil disposed person, forfeit or lose his goods and chattels for the same, as any other person should do that by chance-medly, should happen to kill or slay any other person, or in his or their defence, for the declaration of which ambiguity and doubt, Be it Enacted by our Sovereign Lord the King, with the assent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, that if any person or persons, at any time hereafter be indicted or appealed of or for the death of any such evil disposed person or persons, attempting to murder or rob as aforesaid, or Burglariously or feloniously to break any Mansion-houses as is aforesaid, that the person or persons so indicted or appealed thereof, and of the same by verdict so found and tried, shall not forfeit or lose any Lands, Tenements, Goods or Chattels, for the death of any such evil disposed person in such manner slain: but shall be thereof, and for the same fully acquitted and discharged in like manner, as if the same person or persons should be, if he or they were lawfully acquitted of the death of the said evil disposed person or persons.

Eng: 24.
D. 2. cap. 5.

No forfeit-
ure of
lands, goods
for the kill-
ing or any
persons that
atten. preb
to murder
or rob:

C A P. X.

An Act for remedy of errors and defects in Fines and Common Recoveries here-
to fore Lawed, acknowledged and suffered.

FOrasmuch as Fines and common Recoveries are the best and highest assurances, which the Law hath provided for securing of mens Estates, in Lands, Tenements and Hereditaments, and that partly by reason of the common calamity of Wars, which for many years disturbed the peace and prosperity of this Kingdom, and partly by reason of the negligences and misprisions of Clerks and Officers in writing, engrossing and prosecuting of such Fines and Recoveries, and the careless keeping of the Records thereof, many errors and defects have passed and overslipt therein; to the great danger of the shaking and weakening of such assurances and Estates, contrary to the true meaning of all parties thereunto: for reformation whereof, Be it Enacted by our Sovereign Lord the Kings most Excellent Majesty, the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the authority of the same, that no Fine Proclamations upon Fines or common Recovery had, levied, suffered or passed before the first day of Easter Term, in the first year of the Reign of the Kings most Excellent Majesty that now is, where the possession of the lands and hereditaments therein mentioned, hath been enjoyed according to the said fine

Fine or Recovery, or the Indentures or other Writings declared the uses thereof, shall be reversed by any Writ of Error, but shall be deemed and adjudged good and effectual in Law, as if the same had been duly and legally acknowledged, had, levied, suffered and passed, in all and every the parts thereof; any Error or Defect in Matter of Fact or Law whatsoever, or any Law, Statute, Ordinance, or Provision whatsoever to the contrary in any wise notwithstanding: provided always, that this Act or any thing therein contained, shall not extend unto any Fine or Fines, proclamations upon Fine or Fines, or common Recovery or Recoveries, whereof any writ or writs of error, is or are already brought before the first day of February last and now depending in his Majesties Court of chief place here, or Kings Bench in England, for reversing or making voyd of any fines or common Recoveries: Provided further that if any person or persons which are or shall be intituled unto any writ or writs of error, for the reversal of any such Fine or Fines recoverie or recoveries be or were within the age of one and twenty years Feme covert, non compos mentis, imprisoned or beyond the Seas, the said first day of Easter Term in the said first year of his now Majesties Reign or at any time sithence, that then such person or persons shall be at liberty to bring their writ or writs of error so as they, bring the same within three years after the end of this Session of Parliament or within five years next after he or they shall attain their full Age, discoveries, coming of sound mind, enlargement out of prison, or coming into this Realm.

C A P. XI.

An Act for Endowing of Churches with Glebe Lands,

Whereas all Beneficiaries with Cure especially Vicars are bound to perpetuall residence, and yet through the War and confusion of former times in this Kingdom, the Ancient Glebes in many places are so obscured that they cannot be found out, by which means the incumbents are necessitated to perpetual non residence, Be it therefore Enacted by the Kings most Excellent Majesty the Lords Spirituall and Temporall, and Commons in this Parliament Assembled, and by the authority of the same, that it shall be lawful for any devout person without licence of Mortmain to endow Churches having no Glebes, or not above ten Acres of Gleab with new Gleabe, provided the Gleab of any one Church so endowed do not exceed forty Acres at the most, and that the said Lands be not holden in capite, or by knights service.

C A P. XII.

An Act concerning twentieth parts and other summs of money payable by persons Ecclesiastical.

Whereas it was Enacted and ordained amongst other things in a Parliament holden at Dublin, in the eight and twentieth year of King Henry the eighth that if any summe of money being once due by any Incumbent of any dignity, benefice or promotion Spirituall in the name of a twentieth part, being lawfully demanded, were not truly contented, and paid to such person or persons should have the Charge of the Collection thereof or their Officers and Ministers at the time of the demand, or within forty days after, that then every such Incumbent after such default certified into the Kings Exchequer in Writing, under the Seals of such person or persons as are charged by the said Act with the collection of the said Annual pension, should be adjudged deprived (ipso facto) of all such dignities

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mities, benefices and promotions Spirituall as he shoulde have at the time of such certificate to be made or at any time after, so that all such dignities, benefices or promotions should be clearly void of Incumbents in the law to all intents and purposes as if the said Incumbent were indeed dead, which Act being fitted and accommodated to the state of those times to take away the foreign dependance of the Clergy, is become a means often to deprive Patrons, of their right of presentation, without any default of theirs, the Ordinary not being bound to give notice to the Patron, in case of any such omission, and for that a mere omission in the Incumbent deserveth not to be so rigorously punished, Be it Enacted by the Kings most Excellent Majesty with the assent of the Lords Spiritual and Temporal and Commons in this present Parliament Assembled, and by the Authority of the same, that the omission or not payment of the said twentieth parts, Annual Rent, pension, or summe of money after the last day of this present Session shall be no deprivation nor cause of forfeiture or deprivation of any such Incumbent: But that every such Incumbent so failing in the payment of the said Annual Rent or pension shall forfeit to his Majestie for his omission as nomine poenæ the triple value of such twentieth part, Annual Rent, pension or summe of money as he ought by virtue of the said former Act to have paid and failed in the payment thereof, the said former Act or any thing therein conteyned to the contrary notwithstanding.

Statuta, Ordinationes Actus, & Provisiones Edit. in quodam Parlamento Illustriss. ac in viciss. Principis Dom. nostri Caroli Secundi Dei gratia Angliæ, Scotiæ, Franciæ & Hiberniæ Regis, fidei defensor, &c. virtute commissionis & mandati dicti. Domini Regis, sub magno sigillo suo Angliæ, apud Dublin, die Mercurii viz. Octavo die Maij Anno Regni dicti. Dom. Regis decimo tertio: coram predilecti & perquam fideli consiliario suo Mauritio Eustace Milite, Cancellario suo dicti Regni sui Hiberniæ, & predilecti & perquam fidelib. consanguineis & consiliariis suis Rogero Comite Orrery Domino President, Provinciæ suæ Momonia, & Carolo comite Mountath, Domino President, provinciæ suæ Conatie, Justiciariis suis Regni sui Hiberniæ ten. & ibidem continuat. usq. ad ultimum diem Julii tunc prox. sequent. & ibi. in prorogat. abinde usque ad sextum diem Septemb. tunc prox. sequent. & eodem sexto die Septemb. ibi. ten. & continuat. usque ad decimum diem Octob. tunc prox. sequent. & eodem decimo die Octob. prorogat. abinde usque ad sextum diem Novemb. tunc prox. sequent. & ibi. prorogat. abinde usque ad quintum diem Decemb. tunc prox. sequent. & eodem quint. die Decemb. ten. & continuat. usq. ad undecimum diem ejusdem mensis Decemb. & eodem undecimo die Decemb. prorogat. abinde usq. ad vicesimum primum diem Januarii tunc prox. sequent. & eodem vicesimo primo die Januarii virtute Commissionis & mandati dicti. Domini Regis ibi. ten. coram prefat. Mauritio Eustace milit. & prefat. Rogero Comite Orrery Justiciariis dicti. Dom. Regis Regni sui Hiberniæ & continuat. usq. vicesimum primum diem Januarii & eodem vicesimo secundo die Januarii prorogat. abinde usq. ad ultimum diem Februarii, Anno Regni dicti. Domini Regis, decimo quarto & ibi. prorogat. abinde usque ad quartum diem Martii tunc prox. sequent. & eodem quarto die Martii ibi. ten. & continuat. usq. ad sextum diem Martii, predicti. & eodem sexto die Martii ibidem prorogat. abinde usq. ad vicesimum primum diem Martii predicti. & eodem vicesimo primo die Martii ten. & continuat. usq. ad vicesimum quartum diem Martii predicti. & eodem vicesimo quarto die Martii, ibi. prorogat. abinde usq. ad decimum septimum diem April. tunc prox. sequent. & eodem decimo septimo die Aprilis ibi. ten. & continuat. virtute Commissionis & mandati dicti. Domini Regis coram prefat. Mauritio Eustace, & Rogero Comite Orrery Justiciariis. dicti. Dom. regis regni sui Hiberniæ usq. ad 28. diem Julii, anno Regni dicti Dom. regis decimo quarto, & eodem dicti. 28. Julii continuat. coram predilecti. & perquam fidel. dicti. Dom. Regis consanguineo & consiliario Jacobo duce Marchione & Comite Ormonie, Comite Ossorie & Brechinie, Vicecomite Harter, Barone de Arklo & Lanthony, Pincernâ Honorario Hiberniæ, Domino regalitum & libertatum comitatus Palatini Tipperarii, Dubliniensis Universitatis cancellario, locumtenente domino Generali & Generali Hiberniæ Gubernatore, Uno dominis Regiæ Majestatis à secretioribus consiliis Angliæ, Scotiæ & Hiberniæ, domino Seneschallo Regis, locumtenente domino comitatus Saxonsetensis, cubicoli Regiæ majestatis Generoso & Equite nobilissimi ordinis Garterii. usq. ad vicesimum diem Maii Anno regni dicti. dom. regis decimo quinto & ibi. prorogat. abinde usq. ad vicesi-

num primum diem Julii tunc prox. sequent. & ibm. prorogat. abinde usq; ad vicesimum quintum diem August. tunc prox. sequent. & ibm. prorogat. abinde usq; ad primum diem Octob. tunc prox. sequent. et ibm. prorogat. abinde usque ad decimum septimum diem Novemb. tunc prox. sequent. & ibm. prorogat. abinde usq; ad duodecimum diem Januarii tunc prox. sequent. & ibm. prorogat. abinde usq; ad tertium diem Februarii Anno regni dicti. dom. regis decimo sexto, & ibm. prorogat. abinde usq; ad decimum septimum ejusdem mensis Februarii & ibm. prorogat. abinde usq; ad tertium diem Martii tunc prox. sequent. & ibm. prorogat. abinde usq; ad decimum nonum diem April. tunc prox. sequent. Et ibm. prorogat. abinde usq; ad decimum octavum diem Maii tunc prox. sequent. Et ibm. prorogat. abinde usq; ad vicesimum diem Julii tunc prox. sequent. Et ibm. prorogat. abinde usq; ad vicesimum tertium diem August. tunc prox. sequent. Et ibm. prorogat. abinde usq; ad vicesimum tertium diem Septemb. tunc prox. sequent. Et ibm. prorogat. abinde usq; ad vicesimum quintum diem Octob. tunc prox. sequent. Et ibm. prorogat. abinde usq; ad primum diem Decemb. tunc prox. sequent. Et ibm. prorogat. abinde usq; ad decimum septimum diem Januarii tunc prox. sequent. Et ibm. prorogat. abinde usq; ad vicesimum diem Februarii anno regni dicti. dom. Regis decimo septimo, Et ibm. prorogat. abinde usq; ad decimum diem April. tunc prox. sequent. Et ibm. prorogat. abinde usq; ad secundum diem Maii tunc prox. sequent. Et ibm. prorogat. abinde usq; ad primum diem Junii tunc prox. sequent. Et ibm. prorogat. abinde usq; ad quartum diem Julii tunc prox. sequent. Et ibm. prorogat. abinde usq; ad tertium diem August. tunc prox. sequent. Et ibm. prorogat. abinde usq; ad septimum diem Sept. tunc prox. sequent. Et ibm. prorogat. abinde usq; ad quintum diem Octob. tunc prox. sequent. Et ibm. prorogat. abinde usq; ad vicesimum sextum diem ejusdem mensis Octob. Et eodem vicesimo sexto die Octob. tenet et continuat. coram prefat. locumtenente suo ad octavum diem August. Anno regni dicti. dom. Regis decimo octavo, et eodem octavo die August. dissoluta, finito et determinato.

Statuta ordinationes Actus & provisiones in prima Sessione Parliamenti predicti, apud Dublin. prefat. viz. octavo die Maii Anno Regni dicti. Domini Regis Angliae, Scotiae, Francie & Hibernie decimo tertio coram prefato Mauricio Eustace milite, Rogero Comit. Orrery & Carolo Comite Mountbath Justitiarijs dicti Domini Regis Regni sui Hibernie tenet. edita in hæc verba.

C A P. I.

An Act of most joyful Recognition of his Majesties undoubted title to the Crown of Ireland.

Most gracious and dread Sovereign: We your Majesties loyal and faithful Subjects of all Estates and Degrees within this your Majesties Kingdom of Ireland, do with all possible joy from the very bottom of our hearts, offer up our unfeigned thanks unto Almighty God, for his gracious and wonderful providence, in restoring of your Sacred Majesty unto the Exercise of your Royal power and authority over us, and making us happy under the Government of a King adorned with so rare accomplishments of piety, wisdom, and tender-heartedness towards the good and welfare of all your Majesties Subjects. Your Majesties abundant piety and religious care, in restoring the Church of this your Kingdom to her ancient, wholesom and legal Rights and Discipline, and not onely your great goodness in preserving, but also your Royal bounty in increasing the Revenues thereof, particularly manifested by your Majesties gracious Letters of the Twentieth day of November last, your Majesties great wisdom, gracious condescension, and indefatigable personal labour & pains in finding out a way, & contributing means to reconcile the many different interests among your Majesties Subjects here, your transcendent care to secure the lives, confirm the liberties, and settle the Estates of your Majesties Subjects (even at so great a price, as the freely parting with almost all the great forfeitures in this Kingdom, belonging to your Majesty as we find in your Majesties gracious Declaration, of the thirtieth of November last, for the settlement of this Kingdom) do abundantly manifest to all the world, your Majesties great care and goodness toward us your Majesties liege people, and the many blessings we receive by your Majesties

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wonderful and most happy Restauration. The storied and records of some years past, can amply testifie what our miseries have been, and were there no Writings to transmit the said memorial of them to posterity, yet the sad and mournful condition of our Church, the contempt in a manner of the whole Worship of God; the tyranny of those, who bore Rule over us to the oppression of all good men, the murther, rapine and spoil of multitudes of your Majesties faithful Subjects, are as so many monuments to deliver over the knowledge of our sufferings to all succeeding generations, and that now by the most happy access of your Royal Majesty unto the exercise of your Regal Government in this Kingdom, we should have as in a moment the true Worship of God restored, our Churches adorned with order and good discipline, the Civil Government re-established upon the ancient fundamental Laws of the land, in which is founded safety to our lives, and security to our liberties and estates, how are we obliged in all integrity to render our most humble and hearty thanks to Almighty God, who hath sent us so great a deliverance, so gracious and so good a King, and to honour and serve your Sacred Majesty truly and faithfully with the utmost of our lives and estates; And most Gracious and Dread Sovereign, as we do most humbly and thankfully acknowledge, that Almighty God hath extended his unspeakable mercy towards us, in this deliverance, so we do most cheerfully and heartily acknowledge, that he hath magnified the righteousness of his Judgment, in bringing to nought the Counsels, machinations and strength of those who rose up against your Sacred Majesty, and in restoring of your most Sacred Majesty unto the possession of this your Kingdom, unto which your Majesty without all doubt, scruple, question or ambiguity, hath an undoubted right by lawful descent and inheritance, as our onely lawful and rightful supreme Liege-lord and King. And however recognitions of this nature may seem unnecessary where your Majesties title unto this your Realm is so clear, as that it is abowed in sundry Acts of Parliament, heretofore made within this Kingdom, in the times of your Majesties Royal Progenitors of famous memory, and so ancient, as it is deduced not onely from the daies of King Henry the Second, your Majesties Royal Ancestor, but also from times far more ancient, as by sundry old and authentick evidences mentioned in the said Acts and Records of this your Majesties Kingdom may evidently appear; yet finding what Traiterous Declarations have flown abroad of late yeares, within this your Majesties Kingdom, and being dutifully and zealously affected to remonstrate unto your Majestie and the World, that we are none of that seditious and rebellious rabble, whom it hath pleased the Almighty to suppress by the might of his own power, but a part of that remnant of your Majesties loyal Subjects, whom it hath pleased God to preserve alive amidst all those flames and storms of persecution, and that being now assembled in this your Majesties High Court of Parliament, where all the whole bodie of this your Realm and every particular member thereof (either by person or representation) upon their own free election (according to the lawes of this Realm) are deemed to be personally present, we might publickly and unanimously vindicate our loyalties, and publish our faith and true allegiance unto your most Sacred Majestie, we humbly conceive it our bounden dutie at this time in a special manner, as in the presence of God, to declare and testifie, that we renounce and abhor the bloudie rebellious and traitorous murder and parricide of your Majesties

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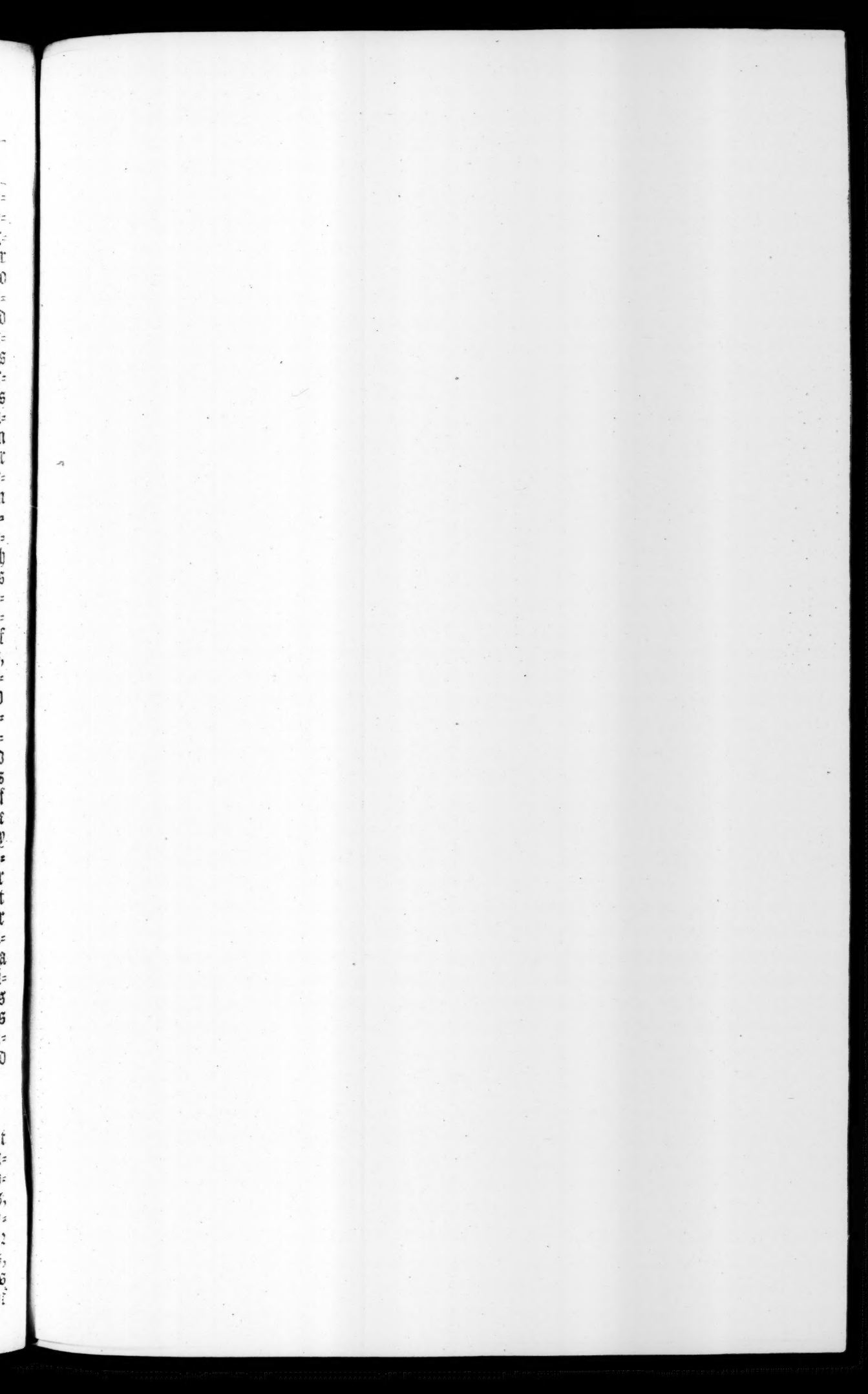
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most Royal Father, of blessed memory, and the principles and practices of those who have opposed, or shall at any time disturb or oppose your Majesties rights and happie Settlement in this your Kingdom, and that we shall readily and faithfully, according to our bounden dutie and allegiance, labour to bring all such persons unto condigne punishment: And therefore we your Majesties most humble and faithful Subjects, the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, do from the bottom of our hearts yield unto the Divine Majestie all humble thanks and praises, not onely for the said unspeakable and inestimable mercies of your Majesties Restauration, but also for those many graces and blessings we have, and do daily receive from your Majesties abundant goodness and indulgence to this your long wasted Kingdom of Ireland: and in most humble and heartie manner we do beseech your most Excellent Majestie, that as a memorial to all succeeding generations amongst the Records of your High Court of Parliament, in this your Majesties Kingdom for ever to endure, of our thankfulness, loyalty and obedience, it may be enacted, published and declared. And be it enacted, published and declared in this High Court of Parliament, and by the authoritie of the same, that we, as being bound by the laws of God and man, do recognize and acknowledge, and hereby expresse and declare our unspeakable joy, that immediately upon the decease of your Majesties most Royal Father, of ever blessed memorie, the Kingdom of Ireland, and all Titles, Stiles, Royalties, Jurisdictions, Rights, Priviledges, Prerogatives and Prebeminencies Royal thereunto belonging, did by lineal descent, and inherent Birthright, and lawful and undoubted inheritance and succession, intirely and absolutely descend and come unto your most Excellent Majestie. And that by the goodness of God Almighty, and lawful and undoubted right of descent, your Majestie is of the Realms and Kingdoms of England, Ireland, Scotland and France, and of all other your Majesties Dominions, Countries and Territories, the most potent and mightie King. And thereunto we do most humbly and faithfully submit and oblige our selves, our heirs and posterities for ever. And we do beseech your Majestie to accept of this our humble recognition and submission as the first fruits in this present Parliament, of our loyalties and faith to your Majestie, and your Royal posteritie, and lawful Successors for ever, which your Majestie being graciously pleased to ratifie with your Royal assent as a testimonie of your gracious acceptation, without which it can neither be compleat nor perfect, nor remain to all succeeding times as a memorial of your Majesties Princely and tender affection towards us, we and our posterities shall find this recorded for ever, as a testimonie of your Majesties unspeakable and inestimable favours and benefits vouchsafed to us your Majesties loyal people.

CAP. II.

An Act for confirmation of Judicial Proceedings.

BE it Enacted, and it is Enacted by the Kings most Excellent Majestie, the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the authoritie of the same, That no Fines, nor final Concozds, Chyrogaphs, nor Proclamations of Fines, nor any Recoveries, Verdicts, Judgments, Statutes, Recognizances nor Inrolments of any Deeds or Wills, or of any such Fines, Proclamations, Recoveries, Verdicts, Judgments, Statutes or Recognizances, nor any Exemplifications





of them, nor any of them, nor any Inquisitions, Indictments, Presentments, Informations, Decrets, Sentences, Probates of Wills, nor Letters of Administration, nor any Writs, nor Actings on, or Returns of Writs, Orders, or other Proceedings in Law, or Equitie had, made, given, taken or done, or depending in the Court of Chancery, Kings Bench, lately called the Upper Bench, Common Pleas, & Court of Exchequer, or any of them, sitting at Dublin, or in any inferiour Courts of Law, or in any of the late Courts, commonly called Courts for administration of Justice, sitting in any part of Ireland, or by any the Judges, Clerks, Officers, Sheriffs, Coroners, or Ministers, or others acting in obedience to them, or any of them, or by any the Courts of Admiralty, Delegates, Justices of Assize, Nisi prius, Oyer and Terminer, Goal-deliberie, or Justices of the Peace, nor any Actings, Processes, Proceedings, nor Executions thereupon had, made, given, done, or suffered in the Kingdom of Ireland, since the Three and twentieth day of October, One thousand six hundred fortie and one, shall be avoided for want or defect of any legal power in the Judges, Commissioners, or Justices of any of the said Courts, or any of them, or for, or by reason, that the premises, or any of them were commenced, prosecuted, had, made, held or used in the Name, Stile, Title or Test of Custodes Libertatis Angliæ Authoritate Parliamenti, or in the Name, Stile, Title or Test of the Keepers of the Liberties of England by authoritie of Parliament, or the Name, Stile, Title or Test of Oliver, Lord Protector of the Commonwealth of England, Scotland and Ireland, and the Dominions thereunto belonging; or Oliver, Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions and Territories thereunto belonging, or for, or the Name, Stile, Title or Test of Richard, Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions and Territories thereunto belonging; or for, or by reason of any alteration of the said Names, Stiles, or Titles, or for that the said Fines, Recoveries, Processes, Pleadings, Proceedings, and other things beforementioned, or the Entrie and Inrolment of them, or any of them were in the Latine or English Tongue: But that all and every such Fines, Recoveries, and other things above-mentioned, and the Actings, Doings and Proceedings thereupon, shall be of such and no other force, effect, and vertue, than as if such Courts, Judges, Justices, Commissioners, Officers, & Ministers, had acted by vertue of a True, Just, & Legal Authoritie, & as if the same, & the Entrie, & Inrolment thereof were in Latine: & as if the severall Acts, & Ordinances, or pretended acts & ordinances made by both, or either Houses of Parliament, or any Conventi-on assembled under the Name of a Parliament, or by Oliver, late styled Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereunto belonging, and his Council warranting and directing such proceedings, had been good, true, and effectual Acts of Parliament. And whereas since the death of the Late King, severall Fines have been levied without any Entrie, or due Entrie of any Summe paid pro licentia concordandi, commonly called the Kings Silver, and without Entrie, or due Entrie of any Summe given to the partie for the Concord. And whereas severall Fines were levied and recorded in the Court of Common Pleas at Dublin, since the late Kings death, before one Judge onely of the said Court, Be it Enacted, that the said Fines and Proclamations thereupon, and every of them, shall be good and effectual, notwithstanding the defects aforesaid. And be it further Enacted by the authoritie aforesaid, That

all Recognizances, Obligations, or other Securities, made or given to the Keepers of the Liberties of England, by authoritie of Parliament, or to Oliver Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the Dominions thereunto belonging, or to Oliver Lord Protector of the Commonwealth of England, Scotland, & Ireland, & the dominions & territories thereunto belonging; or to Richard Lord protector of the Commonwealth of England, Scotland, & Ireland, & the dominions & territories thereunto belonging, & not pardoned or discharged by any Act passed, or to be passed by this present parliament, other than such recognizances, obligations & securities, as have been made or given by any person or persons, to any the pretended powers or persons aforesaid, or to any deriving or pretending to derive Authority from them by any person or persons, for or by reason of their adherence to his Majesty, or to his late Royal father, all which are hereby declared to be void, and to be delivered up to be cancelled, and all Judgements, Extents, Inquisitions, Executions and Seizures, had for the said Keepers, or Protectors or any of them, other than as aforesaid, shall and may be had, and prosecuted in the name and to the use of his Majesty, his Heirs or Successors: Provided always, that it shall and may be lawful to and for every person and persons, who shall find themselves grieved or damaged by any Judgment, Fine, Recovery, Decree, or Sentence given, made, levied, granted or pronounced in any of the said Courts: to proceed in due form of Law, either by Writ of Error, Bill of Review, Appeal, or other lawfull remedie for the reversing, annulling or revoking of the same, in such manner as they might at any time heretofore have done, if the said Courts had been established by lawfull Authority, (other than for those Errors and defaults which are remedied and provided for by this Act.) And it is hereby further Enacted and declared, that the Proceedings and decrees had and given in the late Courts for Administration of Justice, sitting in any part of Ireland, shall be removed and delivered into his Majesties high Court of Chancery in Ireland. And if any person or persons, his heirs, executors or administrators find himself aggrieved by or with any the Sentences, Judgements or Decrees, made or pronounced in any of the said Courts, for Administration of Justice (so called) that then every such person and persons, his heirs, executors or administrators shall and may upon complaint by petition or bill, in his Majesties high Court of Chancery in Ireland, have redress therein, and every such decree, Judgment or sentence, (if there be just ground) shall & may in the said Court, with the Assistance of the Judges of the Courts of Law, whereof one of the chief justices or chief Baron, to be always one, to be examined, reviewed redressed or affirmed upon the merits of the cause, according to equity & good conscience, as to them in their discretion shall seem meet, as if such decrees, Judgements or sentences had been given or made in the said high court of Chancery, or other proper and lawfull Jurisdiction, and may be there examined, reviewed or reversed, as if such decrees or proceedings had been had or given in the said high Court of Chancery: Provided always, and be it further Enacted by the Authority aforesaid, That no Non-claim upon or after any fine or fines, hereby made good and confirmed, shall extend, or be construed to bar or prejudice any person or persons, their heirs or successors, or their feoffees or Trustees, other than the parties to the said fines, and their heirs General and Special, and his and their Trustees, as concerning such Right, Claim and Interest as they had in or to any Lands, Tenements or other hereditaments, which by colour of any Act, Order or

Ordinances of both or either houses of Parliament, or any convention sitting at Westminster, under the name or stile or assuming the name or stile of a Parliament since the first day of May, in the year of our Lord One thousand six hundred forty and two, and before the five and twentieth day of April, in the year of our Lord, One thousand six hundred and sixty, were sold, conveyed or disposed as then, or late, the Lands, Tenements and hereditaments of the King, Queen, or Prince; or of Archbishops, Bishops, Deans, Deans and Chapters, Colledges, or other Ecclesiastical persons, or Ecclesiastical Corporations, or as the Lands, Tenements and Hereditaments of any other Protestant, or Protestants for their adherence to the late King, or His Majesty that now is, so always that the said person or persons aforesaid, their heirs or successors, pursue their Title, Claim, or interest by way of Action, or lawful entry within five years next after the nine and twentieth day of May in the year of our Lord One thousand six hundred and sixty. And although in this Confirmation of Judicial Proceedings, it was necessary to mention divers pretended Acts and Ordinances, by the names and stiles, which those persons then usurped, who took upon them to pass the same: namely some by the stile and name of the Keepers of the Liberties of England by Authority of Parliament, and others by the name and stile of Protector of the Common-wealth of England, Scotland and Ireland, and the Dominions and Territories thereunto belonging, yet this present Parliament doth declare, And it is Enacted by the authority of the same, That the names and stiles aforesaid, and every of them are most rebellious, wicked, traiterous and abominable Usurpations, detested by this present Parliament, as opposite in the highest degree to His Sacred Majesties most just and undoubted Right, to whom, and to His Heirs and lawful Successors, the Imperial Crown of this Realm of Ireland, doth of right appertain, as violating and infringing the just Rights and privileges of parliament: provided always, and be it Enacted, That all and every pretended Indictment or Indictments, Outlawries, Inquisitions, and all proceedings thereon of High Treason against any person or persons whatsoever, for levying War against the late Tyrant Oliver Cromwell, the pretended Keepers of the Liberty of England, or any other usurped power, shall be from henceforth void, and of none effect in Law, And that all Grants, Conveyances, Leases, Devices, Assurances, Statutes, Recognizances and Judgments for debts or damages heretofore had, made, or suffered by any person, or his heirs, whose Conviction, Utlagary or Attainder, is by this Act discharged, or made void, shall be of the same force and effect, as if no such Conviction, Outlawry or Attainder had been.

CAP. III.

An Act for the Continuance of process, and Judicial proceedings.

VV Hereas the several Terms of Trinity Term, Michaelmas Term, and Hillary Term in the year One thousand six hundred fifty and nine; and also Easter Term, Trinity Term, and Michaelmas Term in this present year One thousand six hundred and sixty, were not kept or holden in this Kingdom of Ireland. Now for avoiding all manner of discontinuances, which by occasion thereof, should or might happen in any of the Causes depending between party and party in any of the four Courts at Dublin, Be it enacted by the Kings most Excellent Majesty, and the Lords Spiritual and Temporal, and the Commons in this present Parliament Assembled, and by the Authority thereof, That no Pleas, Writs, Bills,

Bills, Actions, Suits, Plaints, Process or Precepts pleaded, returned, or depending between party and party, or hearing day or days in any of the said Courts on the last day of Easter Term, which was in the year One thousand six hundred fifty and nine, shall be in any wise discontinued, or put without day, for or by reason of the not keeping or holding of any of the Terms aforesaid, but that all and every the said Pleas, Writs, Bills, Actions, Suits, Plaints, Process and Precepts, shall stand, continue, and be good and effectual in Law, to all intents and purposes, as if the said Terms, and every of them had been actually and legally kept and holden, and the said Causes had been legally continued in any of the said Terms in all and every of the said Courts, any Law, Statute, Custome or Usage to the contrary thereof in any wise notwithstanding. And be it further enacted by the Authority aforesaid, That it shall & may be lawful for every Plaintiff & Demandant in every such Cause or Accompt to enter or cause to be entered on Record a continuance of every such Cause or Action in every Term that hath been holden since the said Michaelmas Term now last past, And that all the said Pleas, Writs, Bills, Actions, Suits and Plaints, Process and Precepts shall stand and be continued and may be proceeded upon and prosecuted, notwithstanding the same were commenced or prosecuted in English, And notwithstanding the present happy change and Restitution of his Majesties Name and Stile in judicial proceedings. Provided always and it is hereby declared that it shall and may be in the Election of every party Plaintiff or Demandant in any such Cause, either to proceed in any such Cause so formerly depending, or to Commence a new Suit for the same matter, And in case any such new Suit shall be so Commenced, the depending of any such former Cause or Action for the same matter, shall not be any Plea in Law or abatement thereof, But if witnesses have been examined and publication granted of the Depositions in any such Suit formerly depending either in the High Court of Chancery, or the Chancery of the Court of Exchequer, It is hereby declared that no new Examination of witnesses are to be admitted in any new Cause that shall be Commenced for the same matter.

CAP. IV.

An Act that this Session of Parliament shall not determine by his Majesties Royal Assent to this or some other Bills.

Anno XIII. Caroli II. Regis.

Statuta Ordinationes Actus & provisiones in Sessione Parliament: predict. apud Dublin predict. Sexto die Septem. Anno Regni dict. Domini Regis decimo tertio coram prefat. Justitiarijs Similit. tent. edit. in hæc verba.

CAP. I.

An Act for the speedy rayling of money for his Majesties Service.

CAP. II.

An Act that this nor any other Sessions of Parliament shall not determine by his Majesties Royal assent to this or any other Bill or Bills to be passed in this or any other Sessions in this Parliament.

Anno XIV. Caroli II. Regis.

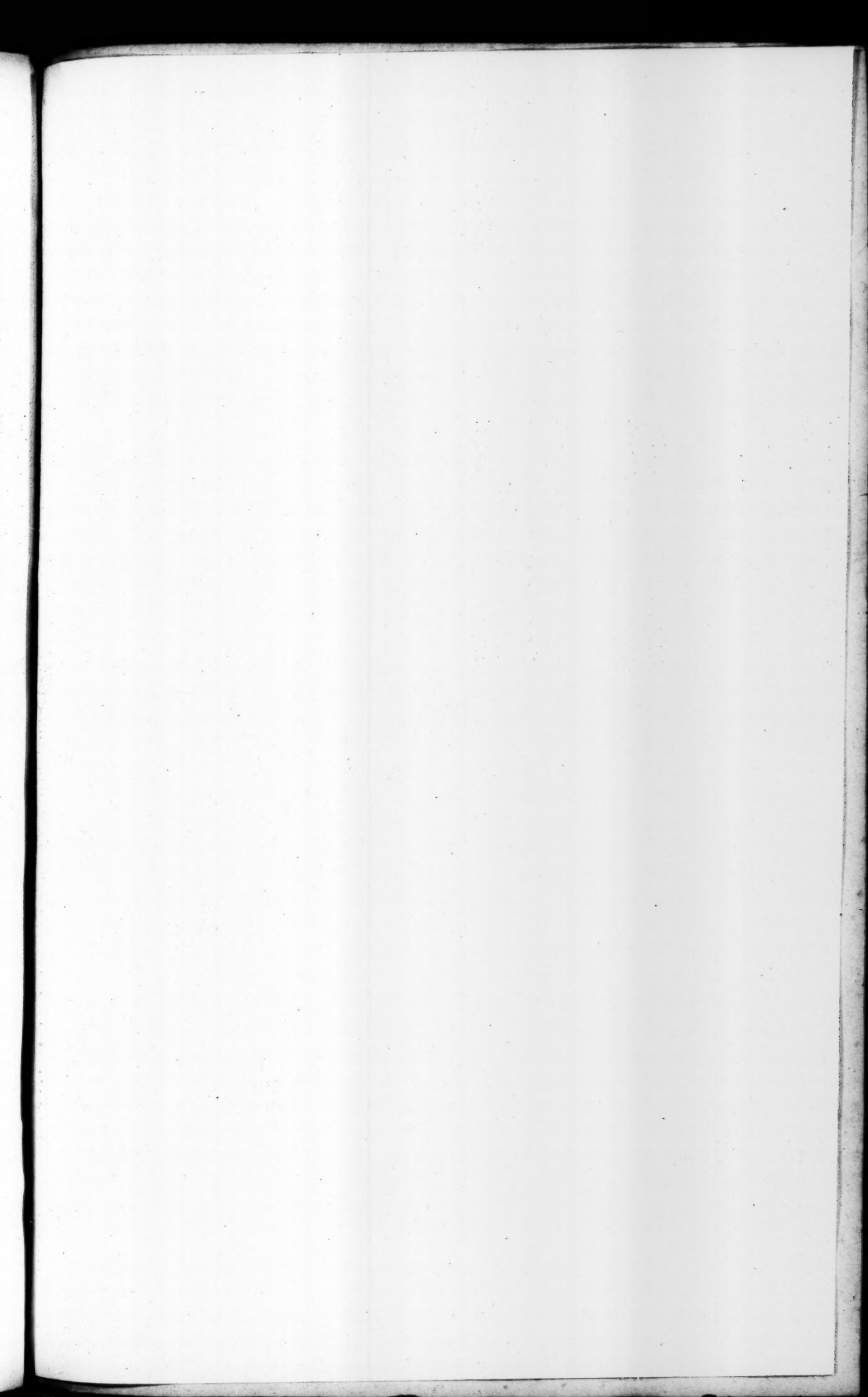
Statuta Ordinationes Actus & Provisiones in Sessione parliament. præd. apud Dublin præd. quarto die Martii Anno Regni dicti domini Regis decimo quarto coram præfat. *Mauricio Eustace mil. Rogero Comite Orrery* Justitiarijs dicti Dom. Regis Regni sui Hiberniæ tent. editi. in hæc verba.

CAP. I.

An Act for the continuance of Customs, Excize and New Impost to the five and twentieth day of March next.

Anno XIV. & XV. Caroli II. Regis.

Statuta Ordinationes Actus & provisiones in sessione Parliament, prædict. apud Dublin prædict.





predicti, &c. die Aprilis Anno Regni dicti Domini Regis decimo quarto coram praesentibus Huiusmodi Curia & Rogero Comit. Orrery Justiciarijs dicit, Domini Regis Regal sui Hibernie p. i. nunt. & postea coram Jacobo Duce Ormond, Locum tenent. Generali & Governatore Generali dicit, Regni Hibernie continuat. edit. in haec verba.

C A P. I.

An Act for a perpetual Anniversary Thanksgiving on the Nine and twentieth day of May in this Kingdom.

FOrasmuch as Almighty God the King of Kings, and sole Disposer of all earthly Crowns and Kingdoms, hath by His All-swaying providence and power, Miraculously demonstrated in the view of all the world, His transcendent Mercy, Love and Goodness towards His most Excellent Majesty Charles the Second, by His especial Grace of England, Scotland, France and Ireland King, defender of the truly antient, Catholique and Apostolique faith, And all His Majesties loyal subjects of this His Kingdom of Ireland, by His Majesties late most wonderful, glorious, peaceable and joyful Restauration to the actual possession and exercise of His undoubted Hereditary Sovereign and Regal authority over us, after sundry years forced Extermination into Foreign parts by the most Treacherous Conspiracies, and Armed power of Usurping Tyrants, and execrable perfidious Traytors; And that without the least Opposition or Effusion of Blood through the Unanimous, Cordial, Loyal Votes, and passionate desires of us, and other His Majesties Subjects: Which unexpressible blessing, by Gods own most wonderful dispensation, was compleated on the nine and twentieth day of May, One thousand six hundred and sixty, being the most Memorable Birth-day not only of His Majesty as a Man, and a Prince, but likewise as an Actual King; And to this and other His Majesties Kingdoms, in a manner new Born, and raised from the dead, on this most Joyful day.

In consideration whereof, this being the day which the Lord himself had made, and crowned with so many publick blessings, and signal deliverances both of his Majesty and his people, from all their late most deplorable confusions, divisions, wars, devastations and oppressions; To the end that it may be kept in perpetual remembrance in all Ages to come, and that all his Majesties Subjects of this Realm, and their posterities after them, may Annually celebrate the perpetual memorie thereof, by sacrificing their unfeigned, heartie, publick thanks thereon to Almighty God, with one heart and voice, in a most devout and Christian manner, for all these publick benefits and mercies received and conferred on them upon this most memorable day.

Be it therefore Enacted by the Kings most Excellent Majesty, by and with the assent of the Lords Spiritual and Temporal, and Commons in this present parliament assembled, and by the authoritie of the same, That all and singular ministers of Gods Word and Sacraments in every Church, Chappel, and other usual place of Divine Service, and publick prayer, which now are, or hereafter shall be within this your Majesties Realm of Ireland, and their Successors, shall in all succeeding ages to come, annually celebrate the nine and twentieth day of May, rendering their heartie publick praises and thanksgivings unto Almighty God, for all the aforementioned extraordinary mercies, blessings and deliverances received, and mightie acts done thereon, as aforesaid, and declare the same to all the people there assembled, That the Generations yet to come may for ever praise the Lord for the same, whose Name is most Excellent, and his Glorie above the heavens. And that all persons do on that day forbear all

Bodilie labour, and the exercise of their Trades.

And be it further enacted, That all and everie person and persons inhabiting within this Kingdom of Ireland, shall upon the Nine and twentieth day of May Annually, resort with diligence and devotion, to some parish-church, Chappel, or publick place allowed by authoritie, where such thanksgivings and praises to Gods most Divine Majestie shall be rendered, and there orderly and devoutly abide during the said publick thanksgivings, prayers, preachings, Singing of psalms, and celebration of Divine Service there to be used and ministered.

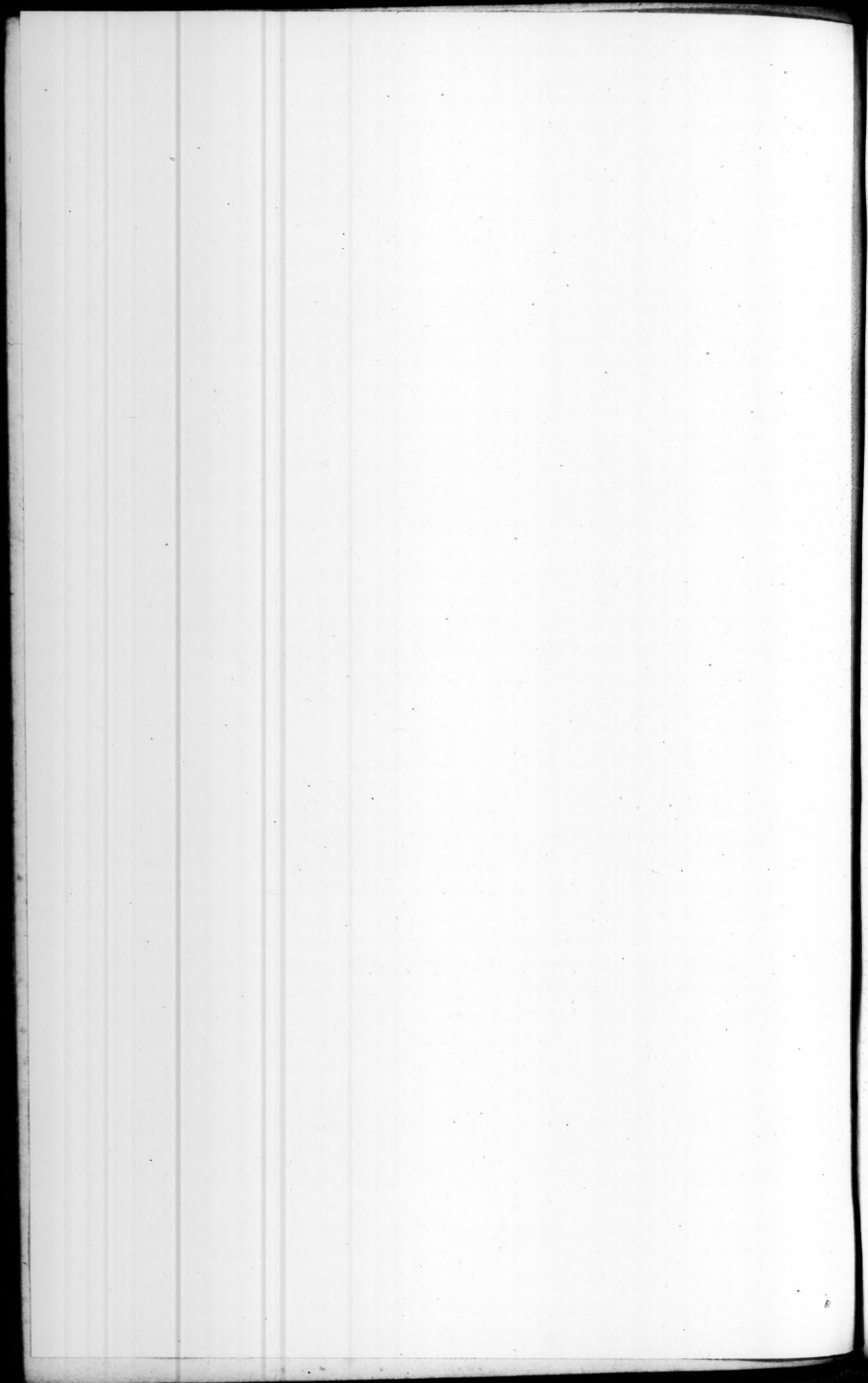
And to the end that all persons may be put in mind of their dutie therein, and be the better prepared to discharge the same with that piety and devotion which becomes them; Be it further enacted, That everie Minister, Parson and Curate, shall give notice to his parishioners publickly in the Church at Morning prayer, the Lords day, next before everie such Twentie ninth day of May, for the due observation of the said day, and shall then likewise publickly and distinctly read this present Act to the people.

C A P I I.

An Act for the Better Execution of his Majesties Gracious Declaration for the Settlement of his Kingdom of Ireland, and satisfaction of the severall Interests of Adventurers, Soldiers, and other his Subjects there.

V Whereas an unnatural Insurrection did break forth against your Majesties Royal Father of ever blessed memorie, his Crown and dignitie, in this your Majesties Kingdom of Ireland, upon the 23. of October, in the Year of our Lord God 1641. and manifested it self by the murther and destructions of many thousands of your said Majesties good and loyal Subjects; which afterwards universally spreading and diffusing it self over the whole Kingdom, settled into, & became a formed, and all most National Rebellion of the Irish papists against your Royal Father of blessed memorie, his Crown and dignitie, to the destruction of the English and protestants inhabiting in Ireland, the which Irish papists being represented in a General assembly chosen by themselves, and acting by a Council called by them, The Supreme Council of the confederate Roman Catholicks of Ireland, did first assume, usurp and exercise the power of life and death, make peace and war, levie and coin money, and many other acts of Sovereign authoritie, treating with forreign princes and potentates for their government and protection, and afterwards acted under a forreign authoritie, by all the said ways disowning and rejecting your Royal Father, and your Majesties undoubted Right to this Kingdom, even whilst they treacherously used his and your Majesties Names in the outward forms of their proceedings, withall impiously seeming by words and shews to swear even unto that, which by the whole series of their deeds they denied; and moreover presuming to pretend his late Majesties most Sacred authoritie, even for their worst actions, all which they did (amongst other their evil designs) to frighten his good protestant Subjects from their loyaltie, to blast his Majesties Honour, and to widen the breach between his said Majestie, and his severed Subjects in England: The which ends, by their said wicked dragagems they did too successfully and mischievously effect: And whereas almighty God hath given your Majestie, by and through your said English and protestant Subjects, absolute victorie and conquest over the said Irish popish Rebels and enemies, so as they, their lives, liberties and estates are now wholly at your Majesties disposi-





on by the laws of this Kingdom. And whereas severall of your Majesties Subjects, by whom, as instruments, the said Rebels were totally subdued, did in the time of your Majesties absence beyond the Seas, for supplie of the then pressing necessities, and to prevent the further desolation of this your Majesties Kingdom, enquire into the Authors, contrivers and abettors of the said Rebellion and War, and after much deliberation among themselves, and advice from others had thereupon, did dispossess such of the said popish Irish Rebels of their Lands, Tenements and Hereditaments, as they found guiltie of, and to have been engaged in the said Rebellion or War aforementioned, and did withal distribute and set out the said Lands to be possessed by sundrie persons, their Agents and Tenants, who by advancing of their monies and Goods, or by hazarding of their lives, had contributed unto the said Conquest, or who had been otherwise useful, as having served or suffered in the suppression of the said Rebellion and War; and whereas severall of your Majesties protestant Subjects, as soon as with much difficultie and hazard they had gotten the power of this Kingdom into their hands, did according to their bounden dutie, with all humilitie and cheerfulness, invite your Majestie into this your Kingdom, with a faithful engagement to serve your Majestie with their lives and Estates; and afterwards when your Sacred Majestie, their Sovereign Lord and King, by your Gracious Letters from Breda, bearing date ¹⁴ day of April, in the Twelfth Year of your Majesties Reign, intimated your Royal Intentions of returning to the exercise of your Regal authoritie, they with others of your Majesties protestant Subjects, did readily and dutifully yield up themselves and the said subdued people, with this your Kingdom of Ireland unto your Majesties absolute obedience and disposition, who thereupon after many months consideration, and the publick hearing of all parties concerned in, and pretending to Lands and Estates in this your Majesties Kingdom, as also after the receiving and weighing of expedient upon expedient, in order to an universal accommodation and final settlement, did at length in your Princely Wisdom, Grace and Justice set forth a Declaration, bearing date the 30. day of November, in the Twelfth year of your Majesties Reign, with severall Explanations and Instructions relating thereunto, expressing your Royal pleasure concerning the people and Territories of this your Majesties said Kingdom, Declaring it likewise to be your pleasure, That all the particulars in the said Declaration mentioned, should be effectually recommended unto your Majesties chief Governour or Governours, Privie Council & Parliament in this Kingdom for the establishing the same by Law.

Now we the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, having well weighed and considered the nature of the Rebellion and War above mentioned, together with the Causes thereof, and motives thereunto, and with what Industrie and malice the Regal Authoritie, the British Interest, and protestant Religion, were pursued and endeavoured to be eradicated, and being withal verie sensible of the vast expence of Blood and Treasure, and of the unspeakable sufferings which the British and protestants, as well severall times heretofore as of late, have undergone, to reduce this your Majesties Kingdom to a perfect obedience unto the Crown of England, do most thankfully acknowledge, accept and admire your Sacred Majesties Wisdom, Grace and Justice towards all Interests in that your Majesties said Gracious Declaration and

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Instructions expressed: And forasmuch as the Rapines, Depredations and Massacres committed by the said Irish and popish Rebels and Enemies, are not onely well known to this present parliament, but are notorious to the whole world; notwithstanding the many means and artifices, which for many years together, have been used to murder such witnesses, suppress such evidences, and also to vitiate and imbezle such Records and Testimonies, as might prove the same against particular persons: And lastly, for that the said Rebels, since their throwing off your Royal Fathers and your Majesties Government, are become subdued and conquered enemies, and have justly forfeited all their Rights, Titles and Estates in this Kingdom: It is therefore Enacted, and be it Enacted by your most Excellent Majestie, with the consent of the Lords Spiritual and Temporal, and the Commons in this present parliament assembled, and by the Authoritie thereof, That all Honors, Mannors, Castles, Houses, Places, Lands, Tenements and Hereditaments, Right, Title, Service, Chiefrie, Use, Trust, Condition, Fee, Rent-Charge, Chattels real, mortgage, Right of Redemption of any mortgages, Recognizance, Judgments, Forfeitures, Extent, Right of Action, Right of Entry, Statute, or any other Estate of what nature or kind soever, in all and everie the Counties, Baronies, Cities, Towns Corporate and walled Townes in this Kingdom, which at any time from and after the said 23. day of October in the year of our Lord 1641. were seized or sequestred into the hands, or to the use of his late Majestie King Charles the first, or of your most Gracious Majestie that now is, or otherwise disposed of, distributed, set out, or set apart, by reason of, or upon account of the said rebellion or War, or which were allotted, assigned, given, granted, ordered, disposed, distributed, demised, set out, or set apart to or for any person or persons, use or uses, for adventures, arrears, Reprisals or otherwise, or whereof his late Majestie, or your Majestie that now is, or any Adventurer, Souldier, Reprisable person, or others respectively had & received the Rent, Issue or profits, by reason or upon account of the said Rebellion or War, or whereof the Adventurers, Officers or Souldiers now or formerly of the English Armie in this Kingdom, or transplanted or transplantable persons, or anie of them, or their or any of their Heir, Heirs or Assignes, or any other person or persons whatsoever upon account of the said Rebellion or War, were in seizin, possession or occupation by themselves, their Tenants, Agents or Assignes, on the Seventh day of May, 1659: or which were assigned, given, granted, laid out, set apart, or reserved for or towards the satisfaction of anie the said Adventurers, Souldiers or other persons for or in consideration of any money or provisions advanced, lent or furnished, or for Arrears of pay, or in compensation of any Service or reputed Services, or other account whatsoever, or reserved or mentioned to be reserved, for or in order to a Reprisal or Reprisals for such Incumbrances as then were, now are, or shall be adjudged due to anie person or persons out of the said Lands, Tenements or Hereditaments, or for any other use, intent or purpose whatsoever, or whereof any Custodiam, Lease for Year or Years, or other Disposition or Grant whatsoever hath been made, or unto which your Royal Father, or your Majestie that now is, are anie waies entituled by reason of, or upon account of the said Rebellion or War, or which are wrongfully detained or concealed by any person or persons whatsoever, as also all Chanteries, and all manors, Lands, Tenements, Rents, Tyths, pensions, portions, and other Hereditaments or things whatsoever, belonging to them or anie of them

them, which were in the seizin, possession or occupation, and out of which any Rent, Dutie, Tenure, or other Service was reserved of any person or persons, who by the Qualifications in this Act, shall not be adjudged innocent persons: as also all Lands, Tenements, and Hereditaments belonging to any Ecclesiastical person or persons, in his or their politick capacitie, and that have formerly by them or any of them been let in free-farm, the right whereof, or Title thereunto, or Interest therein, was in any person or persons, his or their Heires or Assignes, who by the Qualifications in this Act expressed, shall not be adjudged innocent persons: as also all Leases that have been made by any Ecclesiastical persons, of any Lands, Tenements or Hereditaments belonging unto them in their politick capacitie, to any person or persons, their Executors, Administrators or Assigns, who by the Qualifications in this Act expressed, shall not be adjudged innocent persons: as also all Impropriations, or appropriate Cithes belonging to any person or persons, his or their Heirs, Executors, Administrators or Assigns, who by the Qualifications in this present Act expressed, shall not be adjudged innocent, are, and shall be, and are hereby declared, deemed and adjudged as from the said 23. day of October, 1641. forfeited and to have been forfeited to your Majestie, your Heires and Successors; and they hereby are from the said 23. day of October 1641. vested and settled in the real and actual possession and seizin of your Majestie, your Heires and Successors, without any Office or Inquisition thereof found, or hereafter to be found, notwithstanding that the persons who were the former proprietors, or reputed proprietors of the said Estates, or any of them, are not hereby, or have not been heretofore attainted for, and by reason of the said most heinous and unnatural Rebellion and War.

Provided, That this Act shall not extend to the avoiding of any Contract, Conveyance, Assurance or disposition of, for or concerning any of the said forfeited Lands, Tenements or Hereditaments made since the 23. day of October 1641. by any protestant Adventurer or Souldier, or other person of, or from such persons whose Estates if they had not so, as aforesaid, disposed them, would have been confirmed unto them by the Rules in this Act herein after limited or appointed, nor to the avoiding of any Contract for Lands in Connaught or Clare, set out by virtue of Decrees made by protestants, or others that purchased any Lands, Tenements or Hereditaments from persons transplanted into the Province of Connaught or Countie of Clare, or their Assignes, nor to entitle your Majestie to the mean profits of any of the said forfeited Castles, manors, Lands, Tenements or Hereditaments, since the 23. of October 1641. allotted, assigned, enjoyed or set out to any Adventurer for Adventures, or to Souldiers for Arrears, to persons transplanted into the Province of Connaught or Countie of Clare, or their Assignes, or let by the late Usurpers for yearly Rents, or granted by the late usurped powers, and confirmed by your Majesties said Declaration of the 30. of November 1660. by this present Act, other than such of the Rents reserved on the premises, as were not paid to the late Usurpers, or to your Majestie, since your Majesties happy Restauration, but are yet in Arrear and unpaid, and other than forfeited Lands, Tenements or Hereditaments concealed.

Provided also, That this Act or any thing therein contained, shall not be deemed, construed or taken to forfeit, or vest in your Majestie, your Heirs and Successors, any Honors, manors, Castles, Houses, Places, Lands, Tenements and Hereditaments or Chattels real what-

soever, in all, eberie or anie of the Counties, Baronies, Cities, Towns Corporate, and walled Towns in this Kingdom, on the 23. day of October 1641. belonging, in possession, Reversion or Remainder unto the Universitie of Dublin, or to anie Archbishop, Bishop, Dean, Prebend, Dean and Chapter, or other Ecclesiastical person or persons in his or their politick capacitie, or to anie other Colledge, Hospital, Church Collegiate or Parochial, or to the Church-wardens and Parishioners of anie Parish-church for the use of the said Church, or to anie Guild, Corporation, or Fraternitie Ecclesiastical or Lay, or to anie Parson, Rector, or Vicar of any Parish-church, or to the most Reverend Father in God, John Lord Archbishop of Ardmagh, Primate and Metropolitan of all Ireland, or to James Duke of Ormond, or the Lady Elizabeth Duchels of Ormond his Wife, or to any of their Children, or to James late Earl of Roscomon, William Earl of Strafford, Murrrough Earl of Inchiquin, Sir George Hamilton, Sir Richard Lane, Sir George Lane, Sir James Montgomery, or his Heirs, or Thomas Radcliffe Esquire.

5. Provided likewise that this Act, or any thing therein contayned, shal not vest, nor be understood, or construed to vest in your Majestie, your Heires, or Successors, or otherwise be prejudiciall unto or take away any Estate, Right, Title, Interest, Service, Cheifrie, Use, trust, Condition, Fee, Rent-Charge, Chattel Real, Mortgage, Right of Redemption of Mortgages, Recognizance, Judgment, Forfeiture, Extent, Right of Action, Right of entry, Statute, or any other Estate, of what nature or kind soever, from any Protestant or Protestants, their Heirs Executors, Administrators, or Assigns, who did not joyn with the said Rebels before the 15th day of September, 1643. whereof upon the said 22. day of October, 1641. they were respectivelie seized or possessed, or otherwise intrested or Entitled, or wherein they had any other Estate, Use, Possession, Trust, Reversion, or Remainder, other then such Estate and Interest whereof they or any of them stood seized or possessed for the use of, or in trust for any of the Rebels aforesaid; nor unto any Judgment or Decree which hath been obtained by any such Protestant or Protestants in the late Courts, or pretended courts for Adjudication of Claims, or in the Court of Exchequer, or any other of the four Courts sitting at Dublin, or for which any Judgement or Decree is or shall be confirmed, had, or made by the Commissioners heretofore appointed by His Majestie for the execution of His late gracious Declaration, and Instructions, herein after recited, or at any time hereafter to be appointed by His Majestie for the executing of the said Declaration and Instructions, and this present Act, who are hereby enabled and authorized to receive, hear, and determine the same: 6. Nor to the vesting any of the Lands, Tenements, Hereditaments, or Chattels real, Right, Title, Service, Cheifry, Use, Trust, Condition, Fee, Rent-charge, chattel real, Mortgage, right of redemption of Mortgage, Recognizance, Judgement, Forfeiture, Extent, Right of Action, Right of Entry, Statute, or any other Estate, of what nature or kind soever, or any innocent Papist, or their innocent Heirs, Executors, Administrators, or Assigns.

Who to
be reprized.

7. And be it further enacted by the authority aforesaid, That all and every such person or persons, his, and their executors, administrators, and assigns, to whom any Lands, Tenements, or Hereditaments belonging unto such Protestant or innocent Papist, have been assigned, or distributed, set out, or enjoyed, shall forthwith, and before any other Reprizals whatsoever to be set out, be reprized, any thing in this Act to the contrary notwithstanding.

Provided

Provided also, That no person or persons, their Heirs, Executors, or Administrators, who enjoyed all, or any of the said Lands, Tenements or Hereditaments, which by this present Act are vested or settled in your Majesty, your Heirs, or Successors, shall be accountable for any the rents, Issues, or profits of the same, from the said 23. Day of October, 1641 untill the time of the passing of this present Act other than such rents, Issues, and profits, as by new Contracts stand charged in His Majesties Court of Exchequer, since the year 1650. or the profits of concealed Lands enjoyed without Title, allowed and confirmed by this present Act.

No person or persons who enjoyed any of the lands as aforesaid accountable till the passing of this Act.

And whereas Your Sacred Majesty hath by your said Gracious Declaration and Instructions declared your Royal pleasure and Intentions, how the said Honors, Mannors, Castles, Houses, Lands Tenements, and Hereditaments, and all other the Estates and Interests hereby forfeited unto, and vested in Your Majesty, your Heirs, and Successors, should be disposed of, and also by Commission under your Great Seal of this Your Kingdom, bearing date the 30th Day of April in the 13th Year of your Majesties Reign appointed certain Commissioners for putting in execution all the matters and things in the said Declaration and Instructions contained.

Except. 1. 2. How the lands are to be disposed.

Be it Enacted by the Authority aforesaid, That all the said Honors, Mannors, Lands, Castles, Houses, Tenements, Hereditaments, and all other the Estates and Interests hereby vested and settled in Your Majesty, your Heirs and Successors, (except before excepted or provided for as aforesaid,) shall be and remain in your Sacred Majesty, your Heirs, and Successors, to the intent to be settled, confirmed, restored, or disposed to and for such use and uses & in such manner, as in, and by the said Declaration and Instructions hereafter following, and by this present Act, and the true intent and meaning thereof is declared, limited, meant, intended or appointed.

To what use & uses.

His Majesties Gracious Declaration For the Settlement of His Kingdome of Ireland, and Satisfaction of the severall Interests of Adventurers, Souldiers, and other His Subjects there

Charles the Second, by the Grace of God King of England, Scotland, France, and Ireland, Defender of the faith, &c. To all Our Loving Subjects of Our Kingdom of Ireland, of what degree or quality soever, Greeting: It having pleased Almighty God out of his great mercy and compassion towards us, and all our Subjects, to restore us in so wonderful a manner to each other, and with so wonderful circumstances of affection and confidence in each other as must for ever fill Our Hearts (if we are in any degree sensible of such Blessings) with an humble and grateful acknowledgement of the Obligation we owe to his Divine Providence, That he would vouchsafe to work that miracle for us himself, which no endeavours of our own could bring to pass: We think it agreeable to the just sence we have, and ought to have of the good affection of all Our good Subjects, who have contributed so much in bringing this unspeakable Blessing upon us and themselves, that we acknowledge that our good Subjects in Our Kingdome of Ireland have born a very good part in procuring this happiness, that they were early in their dutifull Addresses to us, and made the same professions of resolution to return to their Duty and Obedience to us, during the time of our being beyond the Seas, which they have since so eminently made good: & put in practice: However it was not easy for us to make any publick Declaration with reference to that Our Kingdome, there being many difficulties in the providing for, and complying with the severall Interests

The preamble.

terests and pretences there, which we were bound in Honour and Justice in some degree to take care of, and which were different from the difficulties we were to contend within this Kingdom: We well knew the Acts of parliament which had formerly pass for the security of the Adventurers in that kingdom, and had heard of the proceedings which had been thereupon, by which very many Officers, Souldiers, and others, as well of this, as that our Kingdome were in possession of a great part of the Lands of that Our Kingdom, and of whose Interests we resolve to be very careful.

We well remember the Cessation, and the peace which our Royal Father of blessed memorie had been forced, during the late troubles, to make with the Irish Subjects of that Our Kingdom, and by which he was compelled to give them a full pardon for what they had before done amiss upon their return to their Dutie, and their promise of giving his Majestie a vigorous assistance, and that from that time divers persons of Honour and Qualitie had not (that we know or have heard of) swerved from their Allegiance towards him or us. We could not forget the Peace that Our self was afterwards necessitated to make with Our said Subjects, in the time when they who wickedly usurped the Authoritie in this Kingdom, had erected that Odious Court for the taking away of the Life of Our dear Father: And then no bodie can wonder that we were desirous, though upon difficult conditions, to get such an United power of Our own Subjects, as might have been able, with Gods blessing, to have prevented that infamous and horrible Parricide.

And therefore we could not but hold Our self obliged to perform what we owe by that peace, to those who had honestly and faithfully performed what they had promised to us, though we and they were miserably disappointed of the effect of those promises, by an unhappie part of them which foolishly forfeited all the Grace which they might have expected from us.

And in the last place, we did and must alwaies remember the great affection a considerable part of that Nation exprest to us, during the time of Our being beyond the Seas, when with all cheerfulness and obedience, they received and submitted to Our Orders, and betook themselves to that service which we directed as most convenient and behoofeful at that time to us, though attended with inconveniencie enough to themselves: Which demeanour of theirs, cannot but be thought verie worthe of Our protection, Justice and favour: And yet all these important considerations and obligations appeared so many contradictions to the present Interest of Our good Subjects in that Our Kingdom, who had at this time likewise merited very much from us, and for whose securitie and advantage we held Our self obliged, to provide as well as for their Indemnitie, and so the good Settlement of that Our Kingdom appeared much the more difficult unto us, and even lessened and abated much of that joy of heart we found Our self possessed with, for the great blessings we enjoy in the peace and quiet of this our Kingdom of England.

But we raised our spirits again with the comfortable assurance that God who had wrought so much for us in England would graciously bring his work to the same perfection in Ireland, & not suffer Our good Subjectes to weep in the one Kingdom, whilst they rejoyced in the other: And Our satisfaction was much increased, when upon conference with severall of our good Subjects (of that Nation) of Quality and Interest, who were concerned both as Souldiers and Adventurers,

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We found that they had a due sense of the Obligations which lay upon Our Honour and Justice; and were very willing, that We should comply with both, and that the Foundations of the Peace and Security of that Kingdom should be raised upon Our discharge of those Obligations; and after they had spent much time amongst others, who were as much, or more concerned than themselves, they freely consented to such conclusions as to our understanding may reasonably take with all just Interests: And we cannot doubt but that all who have merited from us, will confess that we have been so far from being failing to them, that We have as well provided for them, as after so great Troubles and Confusions, and after such blessed Circumstances of Our Restauration, they could reasonably expect, and that they will patiently wait for further instances of Our Favour and Kindness towards them, from the Peace, Unity, and Settlement of that Kingdom, and from their contributing to it by a full submission to these Our determinations herein, and hereafter more particularly expressed and declared.

And therefore in the first place, in Order to a Settlement of that Interest claimed by the Adventurers, although the present Estates and Possessions they enjoy, if they were examined by the strict Letter of the Law, would prove very defective and invalid, as being no wayes pursuant to those Acts of Parliament upon which they pretend to be founded, but rather seem to be a structure upon their subsequent assent, both to different Mediums and ends, than the observance of those: Yet We being always more ready to consult (where the prejudice can onely reflect upon Our self) with Our natural inclinations to mercy (We praise God We can say so) than with the positive Reason of Law: We do hereby declare, That all the lands, tenements, and hereditaments, of which all or any of the Adventurers were possessed the Seventh day of May, One thousand Six hundred Fifty nine, having been allotted or set out to them, or enjoyed by them as Adventurers in satisfaction of, and for their Adventures, shall be confirmed and made good to them their Heirs, and Assigns for ever, with allowance or correction of the Admeasurement, according to the Tenor and Directions of the respective Acts of parliament of XVII and XVIII Caroli, as to English or plantation Measure: except as is hereafter excepted: and that the deficient Adventurer either in part or in whole, shall be satisfied out of the Moiety of the Counties of Limrick, Tipperary, and Waterford, in the province of Munster, the Kings County, the Queens County, and the Counties of East-Meath and West Meath, in the province of Leinster, and the Counties of Down, Antrim, and Armagh, in the province of Ulster, not yet set out to the said Adventurers; as also the forfeited Lands in the County of Louth, (except the Barony of Athedee in the said County) and said province of Leinster, such Adventurers claiming and making their deficiencies appear before the first day of May next: and in case the said Lands so for supply of deficiencies set forth, shall not be sufficient, we will appoint some other convenient forfeited Lands for their satisfaction, so that all their deficiencies shall speedily be supplied.

And whereas the Officers and Souldiers now of Our Army in Ireland, and that have been formerly of the Army in Ireland, have had also Lands set out to them respectively in satisfaction, of their arrears of pay for their Service in that Our Kingdom, and are accordingly possess of the same by former pretended Orders & powers than

in being: And although the incompetency of such Powers may justly render such possessions and estates liable to question, to Our very great advantage, if We should measure such advantage, rather by the increase of Our Revenue, than by the free and unbounden influence of Our mercy and favour: Yet in regard of Our Letter to General Monk from Breda, in the twelfth year of Our Reign, and of Our several Declarations and Proclamations concerning the Army, and of the full assurance of the forwardness and readiness of the said Army, and loving Subjects in Ireland to contribute, as in Duty bound, all that in them lay for Our Restauration, We are pleased of Our special Grace and Favour to Declare, and do hereby Declare, That all Officers and Souldiers, their Heires, and Assignes, who have been, and are of the said Army in Ireland, and to whom Lands have been given out in satisfaction of their Arrears for their Service in that Our Kingdome, and have by the general Convention of Ireland, or by any other publick Act declared submission and obedience to Us, according to Our said Declaration of the 4. of April last, dated at Breda, shall enjoy their respective Estates conferred on them for their Arrears, for Service in the Kingdome of Ireland, according to their respective Possessions on the said Seventh Day of May, One thousand Six hundred fifty nine, in full satisfaction of all such Arrears, for which Lands were set out to them respectively as aforesaid: so that they, and every of them, having received an equal proportion with others in the like case, are, and shall be for ever barred from demanding or receiving any further satisfaction therefore, although they had allowance but for Thirteen shillings in the Pound, or thereabouts. Excepting alwayes out of all such Settlements to the said Adventurers and Souldiers, all and every such Estate, and Estates, wherein, or in procuring whereof, any Bribery, Forgery, Perjury, Subornation of Witnesses hath been used or practised, as also such part of any Estate hereby declared to be settled as aforesaid, which by false or undue Admeasurement hath been set forth, such Offence and Crime being discovered before the Twentieth day of December, One Thousand Six hundred Sixty one. Excepting also the Estate of all and every such person, or persons, that is, or are excepted in one Act past this present Parliament at Westminster, Entituled, An Act of Free and General Pardon, Indempnity, and Oblivion. Excepting also all such Lands as are commonly called Church-Lands, whether the same belong to Archbishops, Bishops, or other Ecclesiastical persons whatsoever, that have been set out to Adventurers, Souldiers, or others: Neither shall this extend to give any benefit to such person or persons, as have, or shall by any overt Act probably done, or to be done by him, or them, subsequent to our Restauration, endeavour the disturbance of the publick Peace, or have manifested any aversion to Our Restauration and Government, it being but very reasonable that the Abusers of so much Mercy held forth by Us, should not be partakers thereof. And excepting all such Estates, Statutes, Mortgages, Judgments, Leases, Lands, Tenements, and Hereditaments, and other profits and advantages, which have been decreed to any of Our Subjects by the respective Courts of Claims, and Court of Exchequer in Ireland, and the said Decrees not since reversed, although the premises are yet possessed, or withheld from those who have obtained the said Decrees by Adventurers, Souldiers, or others, to whom the same were set out, who are to be reprimed in like manner as others provided for by this Declaration.

according to
possession 7.
May 1659.

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And whereas severall legal Incumbrances do, and may rest upon the Lands set out to Adventurers and Souldiers as aforesaid, we are pleased further graciously to declare, That the said Adventurers and Souldiers shall receive satisfaction out of the forfeited Lands in the County of Kildare, saving the Lands and Estate of Christopher Cullace, commonly called Mad-Cullace, in the said County, or elsewhere, which it is Our will and pleasure be forthwith released to him and his Heirs, for all Statutes, Recognizances, Judgments, Mortgages, Powers, Joyntures, Lease for Life, or Lives, or for Years, Rent-Charge, or other such Incumbrances charged on their Estates, such Incumbrances being made appeare by the 22. of October, 1661. before such as shall be thereunto Commissioned with all convenient speed after this Declaration.

Being sensible, That severall Officers who were engaged in our Service in Ireland, and eminently acted and suffered therein, have by the partiality and injustice of the Powers then in being, received no satisfaction for the same, we are therefore further pleased graciously to declare, That all Commissioned officers, their Heirs, or Assigns, who were in Regiments, Troops, or Companies, raised in Ireland, or transported out of England, and served our Royal Father or our Self in the wars in Ireland, at any time before the fifth of June, 1649. other than those who have received Lands or Money, for their pay due unto them since the fifth of June, 1649. shall be satisfied their respective personal Arrears out of the particulars following, viz.

Out of the forfeited Lands, Tenements, and Hereditaments, undisposed of to adventurers or Souldiers, in the counties of Wicklow, Longford, Leytrim, and Donnegal: out of all the forfeited Lands, Tenements, and Hereditaments, undisposed of in the Province of Connaught & county of Clare, lying within one mile of the river Shannon (or of the Sea) commonly called the Mile line: Out of all the Houses & Tenements forfeited in Ireland, in the severall Walled Towns and Corporations, and Lands thereunto belonging, not already set out to the Adventurers or Souldiers in satisfaction of Adventures & arrears, satisfaction being first made to such protestants, who on Leases, or Contracts for Leases, have built or repaired Houses, or planted Orchards or Gardens, except the Houses, Tenements, and Hereditaments, in the Town of Wexford, already set out unto Martin Poell, and John Arthur, and now in their possession, which shall be confirmed to them, their Heirs and Assigns, out of the benefit arising from the Redemption of Mortgages, Statutes-Staples, & Judgments, where the Lands are not already disposed of to Adventurers or Souldiers. Excepting alwayes hereout such Mortgages, Statutes, Judgments, as any forfeiting persons of Ireland have, or had on the estate of James Lord Marquess of Ormond, Lord Steward of our Household, or the Lady Marchioness his wife, out of one years Rent and profits of the Lands set out to the Officers and Souldiers for their Arrears in the Year 1653, And likewise of the Army now in being, according as those respective said Estates yielded in the year 1659. As also out of one year and a halfe Rent, and Profits arising out of the Lands for the Arrears of those Officers and Souldiers who were ordered, or received satisfaction for their said Arrears, in the Years, 1655, 1656, and 1657. according as the estates yielded in the Year 1659.

And it is further Declared, that all Commissioned Officers before One thousand Six hundred Forty nine, who have had no sa-

tisfaction in Lands or otherwise, set out to them for Services, since One thousand Six hundred Forty nine, shall be immediately, out of the whole Security, that is above assigned for satisfaction of Arrears before one thousand six hundred Forty nine, satisfied Twelve Shillings Six pence in the pound of what is due to them: And then the remaining part of all the said respective Securities to be equally divided amongst all and every the said Commissioned officers, who have any Arrears due for Services in Ireland, before one thousand Six hundred Forty nine: All which Rents abovesaid and profits, shall be paid in such way and manner, as shall be by Us appointed: And also the said Houses, Lands, and Tenements, distributed and set out in such way and manner, as we shall appoint for the ends and uses aforesaid, the said Years Rent to be paid in the space of Two Years, by even and equal proportions, half yearly: And the said year and a halfs Rent in three years, by even and equal portions half yearly: For which Service, as also for stating the Arrears of the Commissioned Officers aforesaid, not yet stated, fit persons shall be speedily by Us Authorized.

All which said Arrears, so to be stated, shall be stated before the Twentie ninth day of September, One thousand Six hundred Sixty one: And the severall particulars for the above-security for Officers, serving before One thousand Six hundred Forty nine, shall be immediately put out of Charge in our Court of Exchequer: Whereof Our Chief Baron, and other Our Ministers of the said Court, are hereby required to take notice, and put the same in execution accordingly. And the said Securities are hereby committed and intrusted into the hands of such persons for the uses aforesaid, As the Duke of Albemarle, General of all Our Armies, and the Lord Marquess of Ormond, Lord Steward of our Household, by Us hereby thereunto Authorized shall appoint, to be by them Let and set for the best advantage, and to the ends aforesaid: And they are also to Assign fit and convenient Salaries for such persons as shall be imployed therein, The said Salaries to be Assigned unto them out of the profits of the said Securities.

That such Protestants, whose Estates have been given out for satisfaction of Adventurers or Souldiers, or otherwise disposed of to any other persons, shall be forthwith restored to their former Estates, and a Reprizal of equal Value, Worth, and Purchase forthwith Assigned to such Adventurers or Souldiers, as shall be removed out of their said Estates, Provided no person or persons shall have the benefit hereof, who were in the Rebellion before the fifteenth of September one thousand Six hundred Forty three, & have taken out Decrees for Lands in the province of Connaught, or County of Clare, in recompence of their former Estates, And that such Adventurer, Souldier or other persons, who have been, or shall be removed from the Estate of James Lord Marquess of Ormond, Lord Steward of our Household, for what he possesseth thereof for Adventure or Arrears, shall be Reprized in the County of Catherlough for the same, every person so to be removed shall not be accomptable for the profits he received, whilst he or they enjoyed such Estates. Provided alwayes, that this our Declaration, or anything or matter therein contained, shall not extend to any Lands, Tenements, or Hereditaments, which James Lord Marquess of Ormond, Lord Steward of our Household, or any of his Ancestors, Barons of Arckloe, Viscounts of Charles, or Earls of Ormond, or Ossory, did at any time heretofore Mortgage, Grant,

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or Demise unto any person or persons in Fee, Fee-farm, Fee-Tail, for Life or for years, or for any other Estate or Interest nor to any Lands, Tenements, or Hereditaments, held of the said James Lord Marques of Ormond, mediately or immediatly, as of any of his Mannors, whereby the forfeited, or forfeitable Interest, of any person or persons in such Lands, Tenements, or hereditaments, as aforesaid, may be settled in any Adventurer, Souldier, or any person whatsoever other than the said James Marques of Ormond and his Heirs: Provided that this shall not extend to any of the lands held of James Marques of Ormond, or the lady Marchioness his Wife, as of any their mannors; but that all such lands shall be held of the said James and the lady Marchioness, and their Heirs, by the same Tenure, and at the same Rents and Services as heretofore, any thing in this our Declaration to the contrary contained notwithstanding.

And whereas the Earl of Inchequin hath been dispossessed of his Estate, for his eminent Service, and adhering unto us, and is now by Act of Parliament ordered to be restored to his said Estate, We are graciously pleased hereby further to Declare, That he be accordingly restored to his said Estate, and that such who shall thereby be removed, and are justly capable of reprimand, that they shall be reprimanded, as others in like cases are to be reprimanded. And whereas we understand, that by the late usurped Powers, during the Distempers of these Times, several Irish Proprietors of the Popish Religion, have been dispossessed of their Estates, meerly for being Papists, and have sued out Decrees, and are possessed of Lands in the Province of Connaught, and County of Clare, in compensation of their former Estates, which being an Act of their own, We might without any injustice deny to relieve them in, yet so willing We are that any Interest intitling it self to Equitable mercy might not be disappointed, that We declare, That all innocent Papists, being such as shall prove themselves to have been faithful and Loyal unto, and never acted against Our Royal Father or Our Self, since the two and twentieth day of October, One thousand six hundred forty one, though they have sued out Decrees, and are possessed of Lands in the Province of Connaught, or Countie of Clare, in lieu of their former Estates, shall notwithstanding be restored to their said Estates by the second of May, One thousand six hundred Sixty one: Provided that the said Lands in Connaught and Clare so allotted to the said Papists, be restored unto us to Reprimand others, or for satisfaction of such Irish Proprietors thereof, so far as this Declaration excludes them not: or if the said Lands in Connaught and Clare, or any part thereof, have been sold by any such Papist, that the said Papist out of his Estate, to which he is to be restored, shall pay the Purchase Money to the said Purchaser, his Heires, or Assignes; and whosoever either by Reprimand or Restoration shall enjoy the said Lands, shall make satisfaction to the said Purchaser, for all necessary Reparations and Improvements upon the said Lands, before he be admitted to the possession of them: Provided also, That whatsoever Adventurer or Souldier that shall be removed from his present possession, to make room for any such Papist, shall forthwith have a Reprimand of equal value, worth and purchase, in other forfeited Lands. Provided alwayes, That whereas the Corporations of Ireland are now planted with English, who have considerably improved at their own Charges, and brought Trade and Manufacture into that Our Kingdom, and by their Settlement there, do not a little contribute to the peace and Settlement of that Countrey, the disturbing or

removal of which English would in many respects be very prejudicial: That all such of the popish Religion, of any Corporations in Ireland, who have been for publick security dispossessed of their Estates, within any Corporation, shall be forthwith Reprized in Forfeited Lands, Tenements, and Hereditaments, near the said Corporations, to the full Value, Worth, and purchase of such Estate, as he was dispossessed of within such Corporation: And that particularly the Popish Inhabitants of Cork, Poughall, and Kingsale, shall have undisposed Forfeited Lands set out to them in the Baronies of Barrimore and Mulkerry in the County of Cork, according to their respective Decrees past in that behalf: Provided that in the case of innocent Papists within the said respective Corporations, that were dispossessed as aforesaid, it shall remain in His Majesties Power to grant restitution in like manner, as is provided in the case of other innocent Papists.

We are also graciously pleased, that the Lands and Houses set out to any person or persons, for satisfaction of any Money lent, or publick Debts incurred for Provisions, Arms, or Ammunition, furnished for support of Our Army in Ireland, in the beginning of the Rebellion, shall be and remain disposeable for the satisfaction of such of the said Debts, and Debentures for such Debts, as upon examination of the respective Cases shall appear most deserving consideration and satisfaction, in such proportions as shall be thought most equal and just.

We are likewise graciously pleased to declare, That the Lands set out to George Duke of Albemarle, Captain General of Our Armies of England, Scotland and Ireland, for his Arrears and Service in Ireland, as also the Lands being for Arrears purchased by him, and whereof he is now possessed: and the Lands settled upon Roger Earl of Orery, Charles Earl of Mount-rath, Richard Lord Baron of Colwyn, Chidley Coote, and Thomas Coote Esquires: the Relict and Heirs of Sir Simon Harcourt, Sir William Penn, and the Relict and Children of Colonel George Cook, Sir Theophilus Jones, Sir George Aylscough, and the Orphans of Colonel Owen O Connelly, for their Service and Sufferings in the War of Ireland: As also the Lands set out to Richard Urial, and Thomas Crossithwart, of One hundred Pounds per annum: As also all such Lands, Tenements, and Hereditaments, as Arthur Lord Viscount of Valentia, hath purchased from any persons in actual possession thereof, by virtue of any Grant, Order or disposition of the late Usurped Powers, or any of them, shall be settled and confirmed unto them, their Heirs and Assigns respectively: And also that Land be set out to Major George Rawdon in satisfaction of Debentures, due to him for Arrears and Provisions furnished for Ireland: Provided alwayes, and We do hereby declare, that it is not Our intention thereby to weaken or avoid the Just and Legal Title of any person, that is restoreable by this Our Declaration: But that if any of the said Estates shall be accordingly restored to the former Proprietor, that then a Reprize of equal value, worth, and purchase, shall forthwith be assigned in lieu thereof.

And as We cannot but with extraordinary sadness of heart remember, and even at present behold the desolate and distracted condition, that Our Kingdom of Ireland hath been, and is reduced unto, by the unnatural Insurrection, begun in the Year One thousand Six hundred forty one, and consequently abhor and detest the Contrivers and obstinate Promoters of the same against Us, Our Crown and Dignity: So We cannot upon the considerations formerly express in this

Our Declaration, deny all Just and Reasonable Provision that may stand with the present Juncture of Our Affairs unto such of the Irish Nation, who not onely gave early Evidences of their Repentance for their Crimes, but also persevered in their Loyalty to Us and Our commands: And that as near as We can, Our Justice and Our Mercy, in accomodating this Interest might not justle each other. We are in a different manner to consider of such of them as are justly Entitled to the Benefit of those Articles of Peace formerly mentioned, and such who did not submit unto the same, or after a submission, made a departure from the same, which two latter sorts, have justly forfeited that Favour which otherwise they might have received. We are also further to consider of those who embraced the said Articles, and submitted to the said Peace without any Apostacy in a different notion, as of those who remained in that Our Kingdom, who sued out Decrees and received Lands, in satisfaction of their ancient Estates, and those who being Transported into Forreign parts, through many difficulties, United, Rendezvouzed, and served under Our Obedience: So that upon these considerations, We think fit and declare, and accordingly do declare, That as to those who imbraced the said Articles, and submitted to the said Peace, and constantly adhered thereunto, and remaining at home, sued out Decrees, and obtained possession of lands in the Province of Connaught, or County of Clare, that they are to stand bound by them, and not to be relieved against their own Act, who contented themselves to enjoy a part of satisfaction for their own, rather than to attend our Restitution, or submit themselves to Our Command in Forreign parts as others did: And yet if the conditions of those seem hard, they can no more reasonably expect that we should further relieve them, than Our friends in England & Ireland can expect that we should pay back to them all the Moneys they were compelled in the evil Times to pay for their Compositions which they would have aboided, had it been in their power.

And in case any justly Entitled to the said Peace, have obtained decrees for the lands in the Province of Connaught, or county of Clare, in lieu of their former Estates, and have not been posselt of lands according to such their respective Decrees, We further declare, That if by the first day of November, One thousand Six hundred Sixty one, they shall not be posselt of such Decreed lands, they shall immediately after the said day be otherwise satisfied for the same.

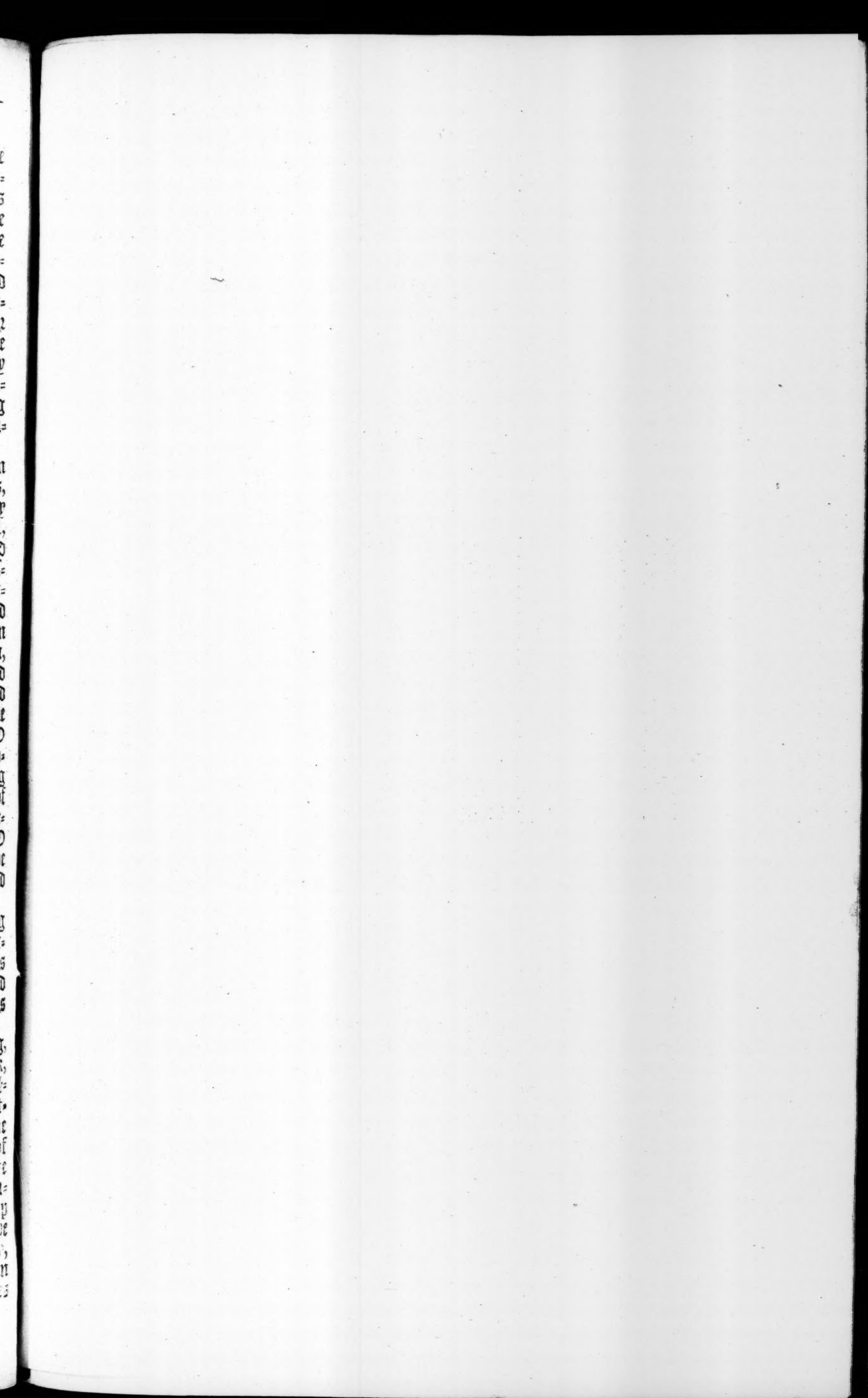
And as to those who continued with Us, or served faithfully under Our Ensignes beyond the Seas, We think fit, and accordingly declare, That they shall be restozed to their former Estates, if they by themselves, or Agents Authorized by them, have not prosecuted and obtained Decrees & lands in the Province of Connaught or County of Clare, in compensation of their former Estates, a Reprize being first assigned, and legally set out of the remaining forfeited lands undisposed of, to such Adventurer or Souldier, or other person before named, of equal Value, Worth and Purchase to the Estate, out of which, such Adventurer or Souldier or other person aforesaid, shall be so removed: Yet so, that if any charge, Debt, or other legal incumbrance have been due upon, or out of any such lands, so to be restozed, which by law or good Conscience ought to be discharged by the party so to be restozed, And that the said charges, Debts, or Incumbrances, have been discharged or satisfied by the party, his Heirs or Assigns, from whom such Lands are now to be Reprized, that such persons, their Heirs or Assigns may, and shall hold the said lands until they are

satisfied, and contented of and for the same: And that none of the persons so to be removed, shall be accountable for the Rents or Profits of the Estates out of which they shall be so removed, which Rents and Profits, and Arrears of Rents, they are respectively to receive until they are possess of other Estates as aforesaid, as also reasonable consideration for reparations of Houses, and other necessary improvements made, and to be seen upon the premises, wherein like regard is to be had to the respective Tenants and Lessors for their Improvements: but where the Landlord took Fine, he is to be accountable for the same, towards satisfaction for their Improvements who paid the said Fine. And lest such Restorations and Repizes, if not speedily effected, might be attended with many prejudices, to all parties concerned therein, We declare that the farthest time for accomplishing thereof, shall be by the Thre and twentieth day of October, One thousand six hundred fittie and one.

And whereas divers persons, for most of whom a general provision is made by this Our Declaration, have for Reasons known unto Us, in an especial manner merited our Grace and Favour; particularly the Earl of Clanricard, the Earl of Westmeath, the Earl of Fingal, the Earl of Clancartie, the Lord Viscount Gormanstown, the Lord Viscount Mountgarret, the Lord Viscount Dillon, the Lord Viscount Taaffe, the Lord Viscount Ikerryn, the Lord Viscount Pettervil, the Lord Viscount Galmoy, the Lord Viscount Mayo, the Lord Baron of Dunboyn, the Lord Baron of Trimletstown, the lord Baron of Dunsany, the lord Baron of Upper Ossory, the lord Bermingham, Baron of Arthunry, the lord Baron of Strabane, Colonel Richard Butler, Sir George Hamilton Knight and Baronet, Sir Richard Farnetwel Baronet, Sir Redmund Everard Baronet, Sir Valentine Brown Knight, Sir Thomas Sherlock Knight, Sir Dermot O Shaghnullay Knight, Sir Daniel O Bryon Knight, Colonel Christopher O Bryan; Mr. Richard Belling, Son to Sir Henry Belling Knight, Richard Lane of Tulske Esquire, Mr. Edmund Fitzgerald of Balmalo, Mr. Thomas Butler of Kilconel, Mr. Macenmarra of Craibagh, Mr. David Powze of Kilbolane, Mr. Donnogh O Calaghane of Clonmæn, Mr. James Copinger of Cloghane in the county of Cork, Mr. George Fitzgerald of Ticrochane, Mr. Barnard Calbot of Rathdown, and Conly Geoghegan of Donore.

We do hereby declare, That they, and every of them, without being put to any further proof, shall be restored to their former Estates, according to the Rules and Directions in the last foregoing Clause of this Our Declaration, concerning such as continued with Us, or served faithfully under Our Ensigns beyond the Seas, many of whose names hereafter follow, viz.

The lord Viscount Muskry Colonel, lieutenant Colonel Legg, Serjeant major Edward Scott, Captain John O Neile of Carrick, in the county of Tipperary, Captain Terence Bryan of Palace Garry in the County of Limrick, Captain Teige mac Carry, for mortgage only in the county of Cork, Captain Daniel Boy O Donovan of Kiltelliman in the said county, Captain Edmund O Murriane of Dulish Murrian in the county of Tipperary, Captain John White of Lophall in the county of Limrick, captain Daniel O Keel of Dummagh in the Barony of Dullbally, and county of Cork, captain Phillip Barry of Duntaghy in the said county, captain Thomas Brown of the Baronies of Bear and Bantry in the counties of Cork and Kerry, captain Francis Hacket of Dully in the county of Tipperary, captain



Charles O Shiell in the County of Antrim, Captain Davie Damian of Davenstown in the Barony of Fermoy and county of Cork, captain Dermot O'Brien of Carrickcouquis in the county of Clare, lieutenant Pierce Wallst, lieutenant Richard Barry of Robertstown in the Barony of Barrimore and county of Cork, lieutenant Dermot O Murrairie of the county of Tipperary, lieutenant Edward Mandevill of Ballypne in the county of Tipperary, lieutenant Daniel O Driscoll of Carbury in the county of Cork, lieutenant Teige O Cullaine, alias, Costabe of the county of Cork, Ensign Morris Fitzgerald of Ballynemart in the said county, Ensign Daniel Carthy of Dunedarrick in the said county, Ensign George Cumerton of the county of Kilkenny, Ensign Walter Butler of Shan-bally-duff in the county of Tipperary, Ensign Pierce Quirk, and William Quirk of the said county, Ensign John mac Teige, alias, mac Teige of carbury, Ensign Pierce duff Butler in the county of Tipperary, Ensign Theobald Butler of Barnane in the said county, Ensign Miles Roach of the county of Cork and Barony of Fermoy, Ensign Philip Hogan of Hally in the county of Tipperary, Ensign Turlagh O Her of Balime in the county of Clare, Owen Oge mac Egan of the county of Cork Adjutant.

The lord Castle Connell of the county of Limrick, colonel Charles mac Carty Ricagh of Kilbretan in the county of Cork, colonel Richard Fitzgerald of Balenemartery in the said county, colonel Cornelius O Driscoll of Donesaide in the said County, lieutenant colonel William Butler of Ballisogui, Captain William Barry of Ringquaran in the County of Cork, captain Peirce Pagle of monaneme in the said county, Captain Arthur O Kinsie of Glanefriacan in the said County, captain Owen Mac Carty of Clocerre in the said county, Captain Edmond Cuiny of Mallanglashy in the said county, Captain Charles Mac Carthy of Cloncalaih in the said county, Captain Dermot O Shiinan of the county of Limrick, Captain Edmund Power of Intch in the county of Cork, Captain John Fox of Baligaden in the county of Limrick, Captain Michael Morisey of the county of Clare, Captain Dermot O Sulivan of Kilmalac in the county of Kerry, lieutenant Der. O Sulivan of Fermoy in the said county, lieutenant Richard Stapleton of Lynestowne in the county of Tipperary, Lieutenant James Purcel of Knockinroe in the said county, Lieutenant Henry Wiles of in the county of Waterford, Lieutenant Garret Fitzgarret of Lickfour in the county of Kerry, Ensign George Shaie of Kilkenny, Ensign Philip Hogane of Aylehie in the county of Tipperary, Ensign Moilmory O Holy of the County of Armagh, Ensign Daniel O Donman of Forneise in the county of Cork, Ensign Done O Culan of Baly Courly in the said County, Ensign Florence O Driscoll of Ballyhan in the said county, Captain Gorman, David Bourk of Barnanlahie in the county of Tipperary.

Captain Stephen Butler, Ensign Alexander Berne of the County of Roscomon, Colonel William Taaffe, lieutenant Bryan Mac Donough of the county of Sleigo, Ensign Edward Dillon of the County of Wickmeath, Lieutenant Colonel James Fitz-Patrick, Lieutenant John Cassin, Ensign Edmund Brenane, Major Owen O Conner of Baylynagare in the County of Roscomon, Lieutenant Walter Costelloe of the County of Mayo, Ensign Daniel O Conner of the same County, Captain Walter Hope of Mollingare, Lieutenant Terlogh Mac Donough of the County of Sleigo, Ensign Christopher Mac Donough of the same, Captain Gerald Ferall, Lieutenant Charles Mac Donnel, Ensign Richard Farral, Captain Charles O

Molloy, Lieutenant Edmund O Molloy, Ensigne Alexander Mac
 Donnel, Captain Edward Sartfield, Lieutenant James Enis, En-
 sign Phelim Dempsey, Captain Brian Fitz-Patrick, Lieutenant
 Jeffery Fitz-Patrick, Lieutenant Miles Bremingham, Ensign
 Connor Mac Gwier, Captain Hugh O Conner Dun of Balin-Tober,
 Lieutenant Robert Millet, Ensigne John Ferral, the Lord Viscount
 Iveagh, Lieutenant Henry Tute, Ensign Phelim Curtaine, Captain
 Walter Phillips of Clunmore, Ensign Hugh O Conner, Captain
 Dudley Costello, Lieutenant Roger O Conner, Captain Gerald Dillon
 of Portleck, Lieutenant John Dillon, Ensign Robert Dillon, Cap-
 tain Mathew Moony, Lieutenant John Flanelly, Ensign Owen
 Sullivane, Adjutant Roger Brenane, Adjutant John Dillon, An-
 thony French Judge Advocate, Sir Willick Bourke Knight and Baro-
 net of Glinsk in the County of Galway, Captain Fran. Berne of
 Rodin in the County of Roscomon, Captain Hugh Oncile of the Pro-
 vince of Ulster, Captain Phelim Mac Genis of the said Province, Cap-
 tain Hugh Omainine, Captain Theobald Dillon of Bracklon in the
 County of Roscomon, Captain Morthagh Clanchy of Castlekeale in
 the County of Clare, Captain Cunn O Neile of Ardgonel in the County
 of Armagh, Lieutenant William Bourke of Turlagh in the County
 of Mayo, Lieutenant John Mac Donough of Culca in the County of
 Sligo, Captain John Caely, Lieutenant Brian Mac Genis of the
 Province of Ulster, Ensign Brian Mac Genis of the said Province,
 Ensign Lowys Mac Dowel of the County of Roscomon, Ensign Tho-
 mas Birne of the said County, Ensign William Talbot of Hager-
 town in the County of Louth, Ensign Roger O Malreanin of Tully
 Mulreanin in the County of Roscomon, Ensign Owen O Keny of
 Clanbozen in the County of Galway, Lieutenant Patrick Clenton of
 the County of Louth, Lieutenant Michael Mac Donagh of Coloony
 in the County of Sligo, Charles O Flynn of Celtabar in the County
 of Roscomon, Nicholas Walsh Esquire of Craly in the County of
 Kerry, Francis Cogblane of Belclare in the Kings County, Henry
 Birne of Dangan in the County of Roscomon, Patrick Mac Gwire
 of Balykilcuny in the County of Ineskilyn, John Brady of the County
 of Cavan, Colonel Richard Grace, Lieutenant Colonel Charles Molloy,
 Colonel Wil. Bourke, Captain Stephen Molloy, Captain Edmund
 Fitz-Patrick, Captain Art. Mac Terlogh Molloy, Capt. John Carroll,
 Capt. Neal Morris, Cap. William Dullany, Captain Edmund
 Bourke, Captain Owen Flattery, Captain Walter Walsh, Captain
 Walter Butler, Captain Trige Carol, Captain Gerrot Aylmer, Capt.
 William Mac Redmund Bourke, Captain Theobald Butler, Captain
 William Stapleton, Captain Phillip Kennedy, Captain James De-
 vin, Captain Art. Molloy, Lieutenant Patrick Dallachanty, lieutenant
 John Molloy, lieutenant Brian Flattery, lieutenant Alexander Dalton,
 Lieutenant John Mac Gerrot Molloy, Lieutenant Symon Coghane,
 Lieutenant Daniel Kennedy, lieutenant Edward Molloy, lieutenant
 Nicholas Sweetman, Lieutenant James Hynane, Lieutenant Oliver
 Grace, Lieutenant James Cummerford, lieutenant Thurlough Carroll,
 lieutenant John Molloy, lieutenant William Fogurthy, Ensign Antho-
 ny Goffe, Ensign Janagh Molloy, Ensign William Tute, Ensign Chri-
 stopher Russel, Ensign Owen Gilmer, Ensign Richard Cuddy, Ensign
 Daniel Higgen, Ensign William Carroll, Ensign John Fitz Patrick,
 Ensign Eneas Reardan, Ensign Kelly, Ensign Piers Walle,
 Ensign John Pyndergash, Ensign Trige Carroll, Ensign Thomas
 Butler, Col. Hoyle Walsh of Ardery in the Barony Iverke in the
 county

countie of Kilkenny, Col. Will. Brown of Balrakan in the county of Wexford, Major Oliver Fitzharriges in the county of Limrick, Captain Robert Wallh of Borredstown in the Baronie of Knocktofer in the Countie of Kilkenny, Captain Therlagh Molloy in the Barony of Balyboy in the Kings County, Captain Nicholas Plunket of Dunfoghly, Lieutenant John Meagher of Grange in the Barony of Ike-
 rin in the county of Tipperary, Henry Rochford of Kilbred in the county of Kildare, Colonel Lewis O Farrol, Sir Connel Farol of Tirlickin in the county of Longford Knight, Lieutenant Colonel captain Terence feral of the county of Longford, captain Saghna feral of the said county, captain Charles Kelly of Skryne in the county of Roscomon, captain John Mac Rozy feral of the county of Longford, Charles feral of the said county, captain Jasper Tate of the county of Wexmeath, Lieutenant Fariagh O Hanly of Slewbane in the county of Roscomon, Lieutenant Morogh O Flaherty of Uma in the Barony of Balencbenzey in the county of Galway, captain, Bryan Lennan of Sale in the county of Antrim, Lieutenant con Mac Gennis of Iveagh in the county of Down, Ensign Andrew Fallon of Miltown in the county of Roscomon, captain Tiede O Flaherty, colonel George culack, colonel Piers Lacy of the Broof in the county of Limrick, captain James Maldon, Lieutenant John Talbot of Belgard in the county of Dublin, Master christopher Russel of Seaton in the same county, Mr. William Talbot of Hagerstown in the county, of Lowth, Mr. Thomas culack of carick in the county of Kildare, Mr. Harald of Kilnekeuge in the county of Dublin, captain William Skelton, Terence Molloy of Gortachutrey in the Kings county, James Cusack of culadain in the county, of Wexford, Owen Waddrick of Kilcheele in the county of Wexford, Arthur Linch of in the county of Meath, Roger Duggin of cox in the Kings county, Lawrence Bellew of in the county of Lowth.

And though some, not sensible of the great preplexities we have laboured under, to reconcile these Jarring Interests, may infer, That where we judge persons sitting to be restored to their Estates, yet the limitation of a previous Reprizal may Eclipse much of Our Grace: To this we say, That the laying of the Foundations is not now before us, when we might design the Model of the Structure answerable to Our own thoughts; And how hard it would be, that the English after so many expensive difficulties in Suits of Law, and finding several Officers in Order to get the present possession they enjoy: And that after so many thousands of Families, who have sold their Interests in England, have transported & settled themselves in Ireland and have made great improvements in Buildings & otherwise, should in the interval of those accommodations (Reprizal not being first provided for) be dispossessed of their Houses and their Stocks (the sole subsistence of them and their Families) exposed to certainty of loss (though greater inconveniencies we pretermitt) may easily be judged: To this we might adde, That since the persons of the Irish for whom we do hereby intend satisfaction, are such who have been abroad with us, who probably being not furnished with Stock and other Provisions, may with less inconveniencies wait for a Reprizal, than to dispossess others, especially since we are fully assured that a very short time may and will Assign them their respective Reprizals, there being so good and large a proportion of undisposed forfeited lands in Our Power reserved for this purpose, and we doubt not but the persons most concerned in this supposed prejudice, thoroughly weighing these

these inconveniencies and that they will be but of a short duration, and how great and reasonable a dissatisfaction a contrary acting in us will produce, will acquiesce therein, and by such a forbearance lay the foundation of a good understanding between themselves and those other their fellow-subjects who are to be settled with them in that our Kingdom. And least any Ambiguity or controversy might arise for precedency in restitution to their former Rights, We do declare, That first all innocent Protestants, and those persons termed innocent Papists, (who never took out any Decree, or had lands assigned to them in Connaught or Clare) be first restored. In the next place, That those innocent Protestants and Papists, who took out Decrees, and had lands allotted to them in pursuance thereof in Connaught or Clare shall be restored. And that such transplanted persons as shall be dispossessed of their Decreed Estates in Connaught or Clare, by virtue of this our Declaration, shall be Reprized out of other forfeited lands of equal value, worth, and purchase in the said Province of Connaught, or county of Clare, or elsewhere, before they be dispossessed of their said Estates. And that then such of the Irish Papists who constantly served under our Ensigns abroad, having right to the Articles of peace, are to be restored, of which if any dispute shall be of their capacity or Privilege herein, We shall by further intimation of our pleasure to our chief Governour or Governours in that our Kingdom, and council there, give a final Resolve and Determination therein. Yet this is alwayes so to be understood, That whatsoever person or persons in the next precedent Qualifications shall find any part of his or their Estates, not already disposed, or not designed to be disposed to the ends aforesaid, express in this our Declaration, That such person or persons, their Heirs, or Assigns, shall be respectively restored to his or their said Estates.

And we further declare, That in respect many have contracted very just Debts for furnishing Arms Ammunition and other necessary provisions for carrying on the War in Ireland, before one thousand Six hundred Forty nine, for which they have given security, and so made themselves liable to suit and hazard, which in all equity ought to be provided for: That after such Reprizals made as aforesaid satisfaction shall be set forth out of the remaining lands in our disposal, to such persons, their Heirs and Assigns.

And We are graciously pleased further to declare, That every Adventurer and Souldier, their Heirs and Assigns, settled in lands, tenements and hereditaments, as aforesaid: And every person restored unto, or Reprized for his Estate, as is formerly mentioned, shall pay unto Us, our Heires and Successors yearly for ever, the Rents following, viz. for every Acre in the Province of Leinster Three pence: for every Acre in the Province of Munster Two pence farthing: for every Acre in the Province of Connaught One penny half-penny: And for every Acre in the Province of Ulster One penny, accounting as to the payment of the said Rent onely, One hundred and sixty pearches to the Acre, and Sixteen foot and a half to the pearch. And all such as receive satisfaction for their Arrears out of the Houses and Tenements in the severall corporations in Ireland, One Shilling six pence yearly out of every Twenty Shillings Rent, so that the Rent formerly reserved on such Estates so to be restored, exceed not the Rent hereby reserved. But if the said Rent formerly reserved do exceed the Rent hereby to be reserved, the said former Rent onely shall be paid, and the said Estates respectively shall be discharged from payment of the Rent

Rent or Rents hereby reserved. And it is Our further pleasure, and we do hereby declare, That all lands, Tenements and Hereditaments thus settled and to be settled upon Adventurers, shall be held of us, Our Heirs and Successors in free and common Socage, as in the Statute of the Seventeenth Caroli is limited and appointed; And that all lands, Tenements and Hereditaments settled or to be settled on the Souldiers who are out of the said Act, and not provided for by it, shall be held of us, Our Heirs and Successors by knights service, in Capite.

All other particulars aboves mentioned being fully effected, we trust through the goodness of God, that that near ruined Kingdom will be restored to peace and plenty. And that by such signal evidences of our justice, favour and mercy, the wicked will be deterred from their wickedness, and the good encouraged and confirmed in resolutions of loyalty towards us, and peace among one another. And as in this our Declaration, we have made choice of those means, which in our Wisdom and Judgment we have esteemed most conducive to the quiet and settlement of that our Kingdom, so we esteem it necessary further to declare, That it is our firm intention forthwith to call a parliament in that our Kingdom, and effectually to recommend unto our chief Governour or Governours, Privy council, and our said Parliament, the establishing by laws there, all the particulars mentioned in this our Declaration, and such others as shall be found necessary for the good of our people there; and after such Bills are past, that then an Act of free and General pardon, Indemnity and Oblivion, shall be granted to all our Subjects of and in Ireland, notorious murderers only excepted.

And because we are too credibly assured, That in the Decrees and Judgments given for forfeited lands in the province of Connaught and county of Clare, much injustice and fraud hath been used, we shall recommend the whole review of that business to our chief Governour or Governours for the time being, and our Privy council and Commissioners or some of them, to the end, that whatever irregularity shall be found in those proceedings may by their care and wisdom be rectified, and the just part thereof confirmed. As also, that a suitable Act for Ireland for confirming Judicial proceedings there in the four Courts, may be there past; And another Act for ratifying all Decrees and Judgments in the court of Claims, and Exchequer of Dublin, and the Claims of our Protestant Subjects of Ireland, that so all our Subjects being legally settled and confirmed in their lives, properties and Estates, they may without fear for the future betake themselves to mend the Ruines and Desolations of so long and bloody War, and live in comfort and unity. And we more than hope that by our thus proceeding, the world will believe nothing of our own advantage can come in competition with the peace and good of our Subjects; for we reserve little to our Self but the satisfaction of contenting all Interests, at the price of freely parting with almost all the great Forfeitures vested in us by Law in that our Kingdom: And if by this Indulgence we shall attain that desired end, it will be much more considerable unto us, than the rate at which we purchase it,

And we further declare, That whereas several of the Adventurers and Souldiers having made a thankful estimation of our grace and favour expressed by this our declaration, in settling them in a peaceable possession and right of what they enjoy, by our waiving those many advantages devolved upon us by law, have voluntarily express their

own willingness and confidence of the forwardness of all the rest of their Brethren, in contributing one half years full value of the profits arising of the said lands as aforesaid, set out for their respective Adventurers and Arrears, to be paid in one year, towards the relief and reparations of the losses of such as We shall judge have most eminently acted for and suffered with us; And that severall of the Adventurers having expressed their own willingness, and confidence of the forwardness of the rest of the Adventurers to bestow upon us as a further chidance of that thankfulness, in consideration of Our grace and favour in the aforesaid Settlement, one other half years rent more of full value to be paid in one other year: We cannot but declare Our Acceptance of such their free and kind offer; and when a Bill shall be tendered unto us upon the accompt, and for the ends aforesaid, it shall be received by us as graciously as such an evidence of their affection and respect doth describe.

And We do lastly declare, That Protestant Plantations shall be settled, Corporations created, Churches erected, Maintenance for Preaching Ministers provided, within the limits and precincts of the land so to be settled on the Adventures and Souldiers, in such manner as by the Commissioners to be nominated and directed by us, shall be set down.

Provided always, That this Our Declaration shall not extend to any person or persons who have had any hand in the plotting and contriving the Surprisal of Our castle of Dublin, in the year One thousand six hundred forty one, nor to any person or persons that sate as Judges in the pretended High court of Justice upon the life of our Royal Father of blessed memory, or who sentenced him, or signed or sealed the Warrant for Execution, or who were of the Guard of Halbertiers, assisting to put the bloody Sentence of Death in Execution upon the 30. of January, One thousand six hundred forty and eight.

Provided lastly, and it is hereby declared, That this Declaration, or any thing therein contained shall not extend to confirm the disposition or setting out to any Adventurer, Soldier, or other person, any of the Lands, Tenements or Hereditaments, belonging before the 23. of October 1641. to any City or Sea-Town Incorporated, but that the same shall be and remain in Our own hands to be restored to such of the said Corporations as shall be found fit for that Our Grace and favour; and the Adventurers, Souldiers or others who have any of the said Lands, Tenements, or Hereditaments set out unto them, shall be Repriized in like manner as is provided for them in other cases, by this Declaration.

Given at Our Court at Whitehall the 30. day of November 1660. In the Twelfth Year of Our Reign.

Signed CHARLES R.

INSTRUCTIONS for Our right trusty and right will beloved Cousin and Counsellour, Richard Earl of Cork, Lord High Treasurer of Our Kingdome of Ireland, Our right trusty and right well beloved Cousins and Counsellours, Edward Lord Viscount Conway and Kilulta, Arthur Lord Viscount Valentia, Our Vice-Treasurer and General Receiver of Our said Kingdome, Hugh Lord Viscount Montgomery of the Ardes, Master of Our Ordinance in Our said Kingdome, and John Lord Viscount Massereene, Our right trusty and well beloved Counsellour, Francis Lord Angier, John Lord Kingston, Richard Lord Baron of Calouny, Sir James Barry Knight, Lord Chief Justice of Our Court of Chief Place, James Donelan Esq; Lord Chief Justice of Our Court of Common Pleas, John Bysshe Esq; Lord Chief Baron of our Court of Exchequer, Sir Henry Tichburn Knight, Sir Robert Forth Knight, Sir James Ware Knight, Thomas Pigot Esq; Master of our Court of Wards and Liveries, Col. Arthur Hill, and Col. Marcus Treveur, Our trusty and well beloved Sir Francis Hamilton Knight and

and Baronet, Sir Arthur Forbes Baronet, Sir Oliver St. George Knight and Baronet, Sir John Cole Baronet, Sir Richard Lane Baronet, Sir Paul Davis Knight, Sir George Lane Knight, Sir John Stephens Knight, Sir William Domville Knight, Our Attorney General, Sir Allen Brodericke Knight, Our Surveyor General, Sir Audley Mervin Knight, Our chief Sergeant at Law, John Temple Esq; Our Solicitor General, Col. John Ponsonby, Henry Warren, & Dudley Cooley Esqs; Sir Jean Major George Rawden, Dr. William Petty, James Cushe, and Thomas Brown Esquires, Our Commissioners appointed by Us for the Execution of Our Declaration of the Thirtieth of November, One thousand six hundred and sixty.

C: R:

VV HEREAS by Our said declaration of the thirtieth of November, One thousand six hundred and sixty, We have made provision for the Settlement of our Kingdom of Ireland, and Satisfaction of the several Interests of Adventurers, Souldiers and others our Subjects there, which we are minded to put in effectual Execution: We have therefore hereby nominated you, or any five or more of you, whereof two of the persons following to be alwayes present, (viz.) our Trusty and Right-well beloved Cousin and Counsellor Arthur Lord Viscount Valentia, Our Vice-Treasurer and General Receiver of our said Realm, our Trusty and well beloved counsellor Sir James Barry, James Donelan Esq; and John Bylle Esq; Sir James Ware Our Attorney and Solicitor General, Our Commissioners for the putting in Execution the matters and things therein contained, according to the Tenor of these following Instructions.

You are to cast up the whole Debt and Demand of the Adventurers, as well those that are satisfied, as those that are in part or in whole deficient, as also all the forfeited Lands assigned to, or for the said Adventurers, according to the Survey commonly called Doctor Petty's Down Admeasurement: And the said Demands and Lands you are to compare together, and what the said Lands fall short of satisfying the said Adventurers, according to the Rates, Measures and Proportions, of which all or any of the Adventurers were possessed the Seventh of May One thousand six hundred fifty nine, so much of the forfeited Lands in the county of Louth in the Province of Leinster (except the Barony of Arderoe) you are to set apart for satisfaction of the said Adventurers: And if the said forfeited Lands shall fall short of satisfying the said Adventurers, you are then to add the forfeited Lands undisposed by our said Declaration, in the county of Catherlogh: And if those shall fall short, then the Lands remaining undisposed of in the County of Kildare, to supply all the said Adventurers deficiencies: And if those Lands fall short, then you are to appart other forfeited Lands in some convenient place for the end aforesaid.

And in order to the more particular apportioning or dividing the said Lands amongst the said Adventurers, and satisfying their deficiencies, and ascertaining their respective proportions, You are to cause publick Proclamation to be made within the respective Counties, Cities, Baronies, and places in Ireland, thereby directing each Adventurer, his Assignee or Assignes, or his or their Agent or Agents sufficiently authorized, that hath received any satisfaction in Land for his Adventure, within forty dayes after such Proclamation, to deliver unto you in writing under his Hand and Seal a particular of the Houses, Lands, Tenements, and Hereditaments, possessed by him, together with the content or number of Acres both profitable and unprofitable, in each Town-Land, Village, Ballybo, or Quarter of Land, as the same were admeasured to him, or for his use, and in the Right of whom he claimeth such Adventure. And if such Adventure be for Houses in any city, such Adventurer is to deliver in, not only

the particular Houses, Tenements & Hereditaments by him possessed, but also the value of them respectively as set out to him, or any other for his use.

And if any adventurer, or the Assignee or Assignees of such adventurers as aforesaid, shall neglect to return a Certificate as above said, or shall wittingly make and deliver a false certificate of the sums he was to be satisfied, according to the several Acts past in the Parliament begun at Westminster the third day of November, in the year of our Lord One thousand six hundred and forty, and in the sixteenth year of the Reign of our Royall Father, entituled, An Act for the speedy and effectual reducing of the Rebels in his Majesties Kingdom of Ireland, to their due obedience to his Majestie and the Crown of England; An Act for adding unto and explaining of certain clauses in another Act made this Parliament, intituled; An Act for the speedy and effectual reducing of the Rebels in his Majesties Kingdom of Ireland, to their due obedience to his Majestie and the Crown of England; An Act for the further advancement of an effectual and speedy reducing of the rebels in Ireland to the obedience of his Majestie and the Crown of England; An Act for a speedy contribution and Loan towards the relief of his Majesties distressed Subjects of the Kingdom of Ireland; An Act to enable corporations and Bodies Politick to participate of the benefit of an Act lately passed, intituled; An Act for the speedy and effectual reducing of the Rebels in his Majesties Kingdom of Ireland, to their due obedience to his Majestie and the Crown of England, Or shall neglect to return a Certificate as aforesaid, or willingly make and deliver a false Certificate of the Town-Lands, Villages, Ballyboes, Quarters, or other Denominations of Land assigned or given out for satisfaction of the said Debt or Demand, or of the content or number of Acres, according as the same was set out to him or them, such Adventurer, or his Assignee shall forfeit for three years the Rents and Profits that such Houses, Lands, Tenements, Hereditaments shall yield, that he shall so omit to certify, or that he shall not rightly certify: such Forfeiture to be one Moiety to us, and the other to be for and towards the defraying the charges in executing this Our Commission. Provided, a discovery be made thereof before the three and twentieth

discovery to
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fore the 23d.
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of October One Thousand Six Hundred Sixty Three.
That such of the said Adventurers and Souldiers as have taken Surveys of their Lands, do at or before the nine and twentieth day of September One thousand six hundred sixty two, bring in to you the said Surveys or Duplicates thereof, together with the Field-Books, (if in their possession) the which you are carefully and exactly to compare with the Surveys taken by Order of the late pretended Powers: And if you shall find any considerable difference between the said Surveys, you are to ascertain such Adventurers & Souldiers possessions by such of the Surveys as shall appear most for Our advantage, and furtherance of this Service, Yet so, that if such Adventurer or Souldier shall think himself aggrieved thereat, you shall appoint one or more sworn surveyors, to re-survey the said Lands in question, such Surveyor returning his Field-Book to some other sworn surveyor, to examine, cast up, and make up the same, such Adventurer or Souldier paying the said Surveyor for their said work, and in the mean time such Adventurer and Souldier to be continued in possession according to the Survey which shall appear as aforesaid, most for Our advantage: And if any one shall without cause complain, and obtain a re-survey, he shall, as a penalty for so doing, forfeit so much Land as he claimes to want, and shall not be found wanting. And if any suggestion or information shall be made to the Lord Lieutenant, or other Chief Governour or Governours of Ireland for the time being, That profitable lands are held and possessed as unprofitable, the same shall

shall be inquired of by a Jury, and such Lands as were surveyed and set out to Adventurers and Souldiers, or their Assigns, as unprofitable, and shall by such inquiry be found profitable, shall be reassigned to supply Deficiencies, or make Reprizals. Out of which said Certificats and Surveys, and by such other lawfull wayes and means as you shall think fit, you are to make up Books of what is due to each adventurer, and to ascertain the possession of such to whom lands are assigned, therein expressing who was the former Proprietor, who forfeited the same the three and twentieth of October one thousand six hundred forty one or since; the Town-land, Village, Ballyhoe, Quarter, or other Denomination of Land, the content, or number of Acres, the Parish, barony, county and province, in which such lands do lye respectively; and where you shall find any Adventurer or his Assign to have more lands than will satisfie his Adventure, and that such Adventurer be in any other place deficient, or shall buy the right of any deficient Adventurer, that such Overplus Lands shall be assigned unto him towards satisfaction of such deficiencies: and having brought things to this certainty, you are to set out Lands to the deficient Adventurer in such way as shall be most indifferent and impartial, and pursuant to the Acts of Parliament.

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rers.

Whereas We have ben graciously pleased to appoint the Forfeited Lands in the County of Kildare, for satisfaction of Incumbrances on the Estates of Adventurers and Souldiers, according to our said declarations in the satisfying thereof, you are to observe these following Directions viz.

To examine in the Books and Records of the late court of Claims, or Exchequer, or other courts, what decrees or Judgements were passed and allowed to be satisfied out of the Estates of the said Adventurers and Souldiers, the Adventurer and Souldier claiming satisfaction for such Incumbrance, shall make it appear that the said decreed lands are set out unto him as part of his lot, and he thereby Entituled to the Reprize for the said Incumbrance. If such Incumbrance be by Mortgage, Statute, Staple, Judgment, Recognizance, or of any sum of money, on the payment whereof the land so incumbered is to be free and discharged, you are then to set out lands in the said countie of Kildare, for satisfaction of the said Incumbrance after the rate of Ten years purchase to be ascertained by inquiry, in way and manner, as is hereafter directed for the Reprize of such Adventurers and Souldiers as shall be removed from off their present Estates, or according to such other particular Directions, as you shall receive herein from Us, or from our chief Governour or Governours and Council of that our Kingdom for the time being, agreeable to our said Declaration: If such Incumbrance be a Rent-charge or yearly Rent, issuing or payable out of the estates of the said Adventurers or Souldiers for ever, or for years, or for life, you are then to put a Rate or value on such Rent-charge, not exceeding Ten years purchase, for an estate for ever, or six years purchase if for life, or for any term under Ten years, or Seven years purchase, if for Two lives, or any term above Ten years and under Twenty one years, or Eight years purchase for any term above Twenty one years, and under Thirty one years, and Nine years purchase for all above Thirty one years, which shall be satisfied out of the said forfeited lands in the said county of Kildare, after the Rates afore-going. If such Incumbrance be by lease or leases for term of years, or for life or lives, you shall, as is before directed, inquire after the damage such Adventurer or Souldier sustains by virtue of

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such lease; and if the said term shall not exceed seven years, or the damage be not one third part of the full value of the said lands set out to him, you shall not assign any recompence or reprice; but if such damage be for above seven years, or above one third part of the profits of such estate, satisfaction is to be given in way and manner, as in the preceding Instructions is directed: The which lands being thus set out, allotted and distributed to the said Adventurers, and Reprized to the said Adventurers and Souldiers, you are to give unto them respectively a certificate of what lands are so set out unto them, with the number of acres, denominations of the said lands, the parish, Baronie and countie such lands are in, and who forfeited the same; which certificate the said Adventurers and Souldiers are forthwith to record in our court of Erchequer, upon which our said court is to give order to our respective Sheriffs to put the said Adventurers and Souldiers, their Assigns or Agents, unto the possession of such lands so allotted, divided, and set out, or reprized, as aforesaid.

Concerning
the estate of
Regicides.

Whereas by our said Declaration, the estates of every person or persons that late as Judges in the pretended High court of Justice, upon the Life of our Royal Father of blessed memorie, or who sentenced him, or who signed or sealed the Warrant for Execution, or who were of the Guard of Halberts, assisting to put the bloodie sentence of death in execution upon the Thirtieth of January, One thousand six hundred forty eight, are not confirmed: You are therefore to enquire what estates any of the said persons had, and to return certificates thereof into our court of Erchequer, which court is hereby required to seize the same to our use, and for the increase of our Revenue, except so much of the same lands, Tenements and Hereditaments lately belonging to John Cook, as by our Letters of the Twenty fourth of November last was granted by Us to Sir George Lane Knight, for his faithful service, which it is our will and pleasure shall be confirmed to him, his Heirs and Assigns accordingly; and that all proceedings necessary for the finding our Title thereunto, and to the lands, Tenements and Hereditaments of Philip Hoare of Kilsalchan in the same letter to the said Sir George Lane granted, be speedily made up by our Officers and Ministers intrusted in that behalf, and that thereupon letters patents be pass thereof, or of any other forfeited lands, Tenements and Hereditaments given or granted by our said letters in lieu thereof under our Great Seal of Ireland, to the said Sir George Lane, his Heirs and Assigns, according to the direction of our said letters, in the most large, favourable and benigne acceptation thereof. You are by the best way and means you can to inquire after all forged Debentures, or Bills on which any lands have been set out, either to Adventurers or Souldiers, and forthwith certifye such forgeries into our court of Erchequer, that such persons may be proceeded against according to law: The like you are to do after the estates of such as have procured or obtained the possession of any estate by perjury, bribery, or subornation of witnesses, or false or undue admeasurement to our prejudice, To the end such estate or estates so unjustly obtained may be seized, according to the Tenor of our said Declaration.

Sir George
Lane
Clause.

To enquire
after all forged
debentures.

estates procured
by perjury or
bribing, subornation
of witnesses or
false admeasurement.

mortgages
made by
protestants
and forfeited.

And whereas many being conscious of their own guilt or evil intentions, with respect to the most heinous Rebellion begun the Thirtieth and twentieth of October, One thousand six hundred fortie and one, have made private settlements of their estates, and many of our protestant subjects having formerly mortgaged their houses, lands, tenements

ments and hereditaments, unto such as have forfeited the same in these evil and unsettled times, have notwithstanding entred upon and kept possession of our right, you are therefore in the best way and manner you can to make a discovery of all such or any other concealments to our prejudice: In order whereunto, our officers in our four Courts of Dublin, or in the office for Probate of Wills, are required to be aiding and assisting to you herein, and from time to time to search after such matters or things as you shall judge for our Service, to inquire after and to attend you with such Records as you shall judge needful.

Whereas by our said Declaration, several innocent protestants and papists are to be restored to their estates, and a reprieve of equal value, worth and purchase is to be assigned to such adventurers and souldiers, and other persons as do possess the same in the doing thereof, you are to observe these following directions, viz.

Not to restore any as an innocent papist, that at, or before the cessation, which was made upon the fiftenth day of September, One thousand six hundred forty and three, were of the Rebels party, nor any who being of full age and sound memory, enjoyed their Estates real or personal, in the Rebels Quarters: provided that where any Citizen or Inhabitant of the City of Cork, or of the Town of Poughal, or any other person or persons were not permitted to live in the English Quarters, but were expelled from thence, and driven into the Quarters of the Rebels, that then and in such case, such inhabiting in those Quarters, & there receivng any benefit of their Estates, shall not be construed or adjudged any bar or impeachment of their innocences nor such as entered into the Roman-catholick confederacy, at any time before the Articles of peace concluded, One thousand six hundred forty and eight: nor such as at any time adhered to the Rancio's, or Clergies party, or Papal power, in opposition to the Kings Authority: nor such as have been excommunicated for adhering to the Kings Authority, and afterwards obtained their Offences for so doing, and were relaxed thereupon from their excommunication: nor such who derived their Titles to their Estates from any who dyed guilty of any the aforementioned crimes: nor such as pleaded the Articles of Peace for their Estates: nor such as being in the Quarters which were under the authority of our Royal Father, or our Self held correspondence with, or gave intelligence to such as were then in opposition against Our said Royal Father, or our Self in Ireland: nor such as before any of the Peaces in One thousand six hundred forty and six, or one thousand six hundred forty and eight late in any of the Confederate Roman-catholick Assemblies or Councils, or acted upon any Commissions or Powers derived from them or any of them: nor such as empowered Agents or Commissioners to treat with any Foreign Papal power beyond Seas, for bringing into Ireland foreign forces, or were persons which acted in such Negotiations: nor such persons as have been Wood-kerns, or Tories before the Marquess of Clanrickards leaving the Government of that Kingdom.

You are to take care, that the Adventurers and Souldiers in the possessions of the estates of any innocent protestant or papist restored to his said Estate by our said Declaration, be forthwith reprieved as in our said Declaration is directed therein, observing the signification of our pleasure in our said Declaration, for the reprieving such as shall be removed from the estates of innocent Protestants or Papists at the time they shall be so removed.

Directions
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In the next place you are to take care, that the Adventurers, Souldiers, or other persons possessed of any of the Estate or Estates of such persons, to whom we have by our said Declaration assigned a particular favour, and are in a distinct Branch thereof by name expressed, be Repriized as in our said Declaration is directed, and the said persons restored to their former Estates from the time that such Adventurers or Souldiers shall be so repriized, observing alwayes the further cautions and provisions in our said Declaration expressed, referring to the said persons restoration: If any who by our said Declaration are to be restored to their former Estates, have or shall without Order molest, disturb, or inquiet any of the Adventurers, Souldiers, or other persons in possession of their respective Estates, or for the mean profits thereof contrary to what is directed and provided for in our said declaration, such person or persons untill they shall surcease such disturbance, or having taken possession, shall re-deliver the same to the person so dispossessed, and account and satisfie unto him the Damages sustained thereby, shall have no benefit of the Grace and favour held forth by our said declaration to him or them respectively: And in case any person or persons that hath so disturbed or dispossessed any Adventurer or Souldier, or their assigns of any Houses, Lands or Tenements, formerly assigned for Adventures or arrears, and by such Adventurers or Souldiers quietly enjoyed, shall not as aforesaid quietly resign the possession of such lands to such Adventurers or Souldiers, or their Assigns, That you do then forthwith give Order to our respective Sheriffs to put such Adventurers, Souldiers, or their assigns into quiet possession of such Estates, which Orders of yours our said respective Sheriffs are hereby required strictly to observe accordingly.

Prohibited nevertheless, That where such person or persons so dispossessed and to be restored to his or their former estates by the next preceding instruction, shall be contented to submit to a repriize: that in such cases you are forthwith to set out land in some convenient place for the repriizing him or them accordingly: You are to take care that all that by our said declaration are to be restored to their former Estates, do before such restoration to their said Estates, under their Hands and Seals exhibit unto you the ground upon which he or they claim the benefit of our said declaration, and a particular of their respective Estates in which you are to take care that they claim no other Lands than what did rightfully belong to them, and were in their Real possession the Two and Twentieth day of October, One thousand Six hundred forty and one.

The penal-
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claim.

Forfeiture
of the full
value of the
Lands.

And if any one so to be restored shall make a claim, that he or they are not Entitled unto, or make & deliver unto you a false particular of his said Estate, & therein include other lands than what he or they were so Entitled unto & possessed of as aforesaid, or having to any Irish Papist or person excepted from confirmation of his estate in our said Declaration, or having to any Irish Papist or person excepted from confirmation of his estate in our said Declaration, or otherwise encumbered his or their said Estates, either before the said Two and twentieth of October, One thousand Six hundred forty and one, or since that day, or have sold the same to any such Irish Papist or excepted person, and shall not particularly express the same in the said particular so to be delivered: in all such cases, such person or persons offending herein, for such offence shall forfeit the full value of the Land so endeavoured to be gained out of any other lands to be restored to him by vertue of our said Declaration.

You are forthwith to Repriize such Adventurers, Souldiers and o-
ther

ther persons, who are now in the possession of the estate of the Earl of Clancarty; As also to satisfie Erasmus Smith Esq; his deficiency, as ^{clause for} an adventurer in some convenient forfeited lands in the county of ^{Earl of} Louth, that he may be better inabled and incouraged to answer those ^{Clancarty,} publick pious uses in incorporating five free-schools within that ^{Erasmus} Our Kingdom, for which he hath petitioned for our license, and to Reprize him the said Erasmus Smith such Lands now or lately in his possession that are restored or restorable to the former Proprietors: And to accept from Peter Wallis Esq; a surrender of the great Island near Ross in the County of Wexford, and Reprize him the same in the County of Cork on the Lands now in the said Peter Wallis his pos- ^{Peter} session, not exceeding the yearly value of what the said Island may be ^{Wallis.} set for.

And to the end you may the more readily proceed in Reprizing such as in our said declaration are to be reprized, being to be removed from ^{Books to} off the Estate of any person or persons to be restored to their former ^{be made of} Estates, you are forthwith to make up Books of all the forfeited undi- ^{all forfeited} posed Lands in Ireland, and not before Assigned for satisfaction of ^{and undi-} the deficient adventurers, or reprizing the adventurers and Souldiers, ^{posed lands} the Incumbrances on their Estates, in which you are carefully to set down all the forfeited Lands in the County of Catherlagh by them- selves, and all the forfeited Lands in the Baronies of Barrimore and Muskry by themselves, the one being appointed for the Reprizal of such as are removed from of the estate of James Lord Marques of Ormond, Lord Steward of Our Household, and the other to satisfie Decrees of the innocent Papists inhabitants of Cork, Poughal, and Kingsale; In the doing whereof, you are to appoint what quarter or point of the said County of Catherlagh, and the said baronies of Bar- rimore and Muskry to begin withal, and accordingly to make up the said Book or Catalogue of the said Lands, by way of contiguity, with as much indifferency and impartiality as may be.

And to the end the said adventurers and Souldiers so to be re- ^{to the} moved, may be reprized with all indifferency, as in our said declarati- ^{end that the} on is directed: where we appoint not a particular reprize, You shall ^{adventurers} forthwith nominate and appoint fit and indifferent persons in each cor- ^{& souldiers} poration, County, and Place in Ireland, where any of the said Es- ^{be reprized} tates are, to examini upon oath & by all other good wayes and means, ^{commis-} the value of such Estates and the Improvements made thereon, and to ^{ners to ap-} return a certificat thereof under their hands & seals to you accordingly ^{point indi-} in due form, therein distinguishing the value of such estate from the ^{ferent per-} Improvements made thereon by the said persons to be removed, the ^{sons to be} same to be returned unto you by a short time to be by you limited, up- ^{due upon} on return whereof you are by like wayes and means to inquire of ^{oath.} the value of some other forfeited lands, not already disposed of, and forthwith assigne the same to such Adventurers, Souldiers, or other persons so to be removed, as in our said declaration is expresse, taking care to reserve the forfeited lands in the county of Dublin, till all other ^{forfeited} forfeited lands be disposed of, unless we shall otherwise direct, to the ^{lands in the} end such of the Inhabitants of any Corporation as have been removed ^{City of Du-} for security, may be Reprized as far as our declaration provides for ^{to be reserv-} his or their Estates in such Corporation, in some convenient place neare ^{ed till last.} such corporations.

You are to take care that the undisposed forfeited lands near such corporations, be preserved to reprize such Inhabitants, except the lands near Cork, Poughal and Kingsale, for which lands are assigned as a-
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Advent: re-
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You are to prepare an exact List of the respective Adventurers Souldiers, and others removed from off the Estate of James Lord Marques of Ormond, Lord Steward of our Household, by themselves; And another of such of the Inhabitants of the said Town of Cork, Poughal and Kinsale, whose Decrees for lands are by our said declaration to be satisfied, and to appoint how the said adventurers, Souldiers, or other persons and inhabitants aforesaid shall be repaid respectively; and accordingly so much of the Lands in the said county of Cathelagh as will suffice, shall be set out to the said adventurers and Souldiers removed from off the Lord Marques of Ormonds Estate, as aforesaid; and so much in like manner of the said baronies of Barrimore and Muskry as will suffice, set out to the inhabitants aforesaid.

Whereas we have been graciously pleased to make provision for the satisfaction of the Personal arrears of such Protestant Officers who served in our Kingdom of Ireland at any time from the three and twentieth of October One thousand six hundred forty and one, as by the partiality of the Times have received no satisfaction for their service before the fifth of June One thousand Six hundred forty Nine, and for the stating the arrears of such of them as have not had their arrears stated, as in our declaration of the Thirtieth of November one Thousand Six hundred and Sixty, is provided for. You, or any five or more of you, as aforesaid, are therefore to observe and follow therein these Instructions following: Viz.

You shall state the accompts or Arrears of such commissioned officers, or their assigns, as are not stated, for their own personal Service in Ireland: During the time of their Service, every such commissioned officer whose Accompts you shall so state, shall evidence his being an officer, and his Quality, either by his commission or commissions, or by Muster-rolls or by the certificates of two or more commissioned officers, whereof one to be a field-officer, such certificate to be under the Hands and Seals of such officers.

Every such officer whose accompts you shall state, shall exhibit unto you, under his own Hand and Seale, the state of his own accompt therein expressing the time of his service, the money or pay received in the Regiment, troop, company, or Garrison, or Service in which he served and what he demands, as due to him for his said Service.

If any officer shall knowingly produce a false or counterfeit certificate, thereby attempting to mis-lead you in the stating his arrears, such person producing such false certificate, and also the person giving the same, shall forfeit their respective arrears and all lands, tenements and hereditaments to be set out to such officer for his arrears.

You shall allow the accompts of such officers but according to their commissions and establishment of pay allowed by our royal father or by both houses of the parliament at Westminster, begun in the Sixteenth year of our late royal fathers reign, for which accompts or arrears so stated, you are to give unto every such officer, or his assigns, on e or more debentures under your hands and seals, for the respective summs that shall be due to him or them, to be satisfied out of the Securities appointed by our said declaration, for such officers aforesaid that served in Ireland within the time aforesaid.

If any obstruction or Difficulty shall happen in stating the accompts of the said officers, not hereby provided against, you are from time to time in all such cases to certify the same to our chief Governour or Governours for the time being, and our Privy council in Ireland, who are hereby authorized to set down, and in writing give unto you

you such further rules and directions therein, as to them shall seem meet, the which you are hereby required to observe.

In order to the ascertaining the rents, as well payable by the Adventurers as by the Officers and Souldiers now or late of the Army in Ireland, towards the present satisfaction of Arrears and other uses in Our said Declaration expressed, You shall nominate and appoint fit persons to be imployed in the respective Counties, Baronies, Cities and places in Ireland, where any Houses, Lands, Tenements or Hereditaments are already disposed of, either to Adventurers or Souldiers, or other persons, with fitting instructions unto them to prepare a particular and distinct Rent-roll of what the same did yield above all Repizes for the year One thousand six hundred fifty nine, the which within a certain time to be limited and appointed, are to be returned unto you: And if any mistake shall happen to be in the said Rent-roll so returned, you are to amend the same in such way and manner as shall be just therein, distinguishing the Houses, Lands, Tenements and Hereditaments set out to the Adventurers from those set out to Souldiers, and those of the Souldiers now of Our Army in Ireland, or disbanded in the year One thousand six hundred fifty three, from those Souldiers formerly of the Army in Ireland, who received satisfaction for their Arrears in the years One thousand six hundred fifty five, One thousand six hundred fifty six, One thousand six hundred and fifty seven, which rent-rolls are fairly to be ingrossed.

And in case our chief Governour or Governours for the time being in Ireland, shall judge it for Our Service, he or they shall Order the issuing forth Commissions under Our Great Seale of that our Kingdom of Ireland, for the ends and to the persons so to be nominated and appointed as aforesaid, That in Order to the discovering the full value of the premises, every such Adventurer, Officer, Souldier, or other person, the confirmation of whose Estates is held forth by our said Declaration, shall within forty dayes after publique notice by you to be given, deliver in writing under his Hand and Seal to the persons to be imployed in the respective Counties, Baronies, Cities, and places, a particular of their Estates, with the respective Names of their Tenants, and the Rents they were to pay in the said year One thousand six hundred fifty nine; and the respective Tenants to every such Adventurer, Souldier, or other person, shall also deliver to the said persons a particular of the Lands and Tenements held by them, with the Names of the Land-lords, and the Rent they were to pay for the said year One thousand six hundred fifty nine.

That if any Adventurer, Officer or Souldier, or other persons so returning the value and profits of his said Estate, shall faile to return the full value thereof, or any part thereof, that for such Offence, he shall forfeit half a years Rent of the Estate so concealed, one fourth part to the person discovering the same, and the other three parts towards the Relief and Support of such as have suffered for Our Royal father, or our Self: And for the better discovery of the Truth in the Premises, Our Chancellour of Ireland for the time being, is hereby authorized and required to issue forth Commissions from time to time as occasion shall require, to impower and authorise you, or such as shall be by the chief Governour or Governours of that Our Kingdom for the time being, and Our Council there nominated thereunto in the respective Counties, Baronies, Cities and places, as aforesaid, to administer on Oath or Oaths, as often as it shall be needful.

And you, and such as shall be imployed as aforesaid shall as often

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A rent roll
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Estates in
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Penalty in
case they re-
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full value of
their estates

Power to
bind for per-
sons leases,
papers and
records.

To prepare
a particular
of all forfeit-
ed lands &c.
in the
County of
Wicklow,
Longford,
Leitrim and
Donegal
Wille-line.
and within
any Corpo-
ration.

To prepare
an account
of arrears
of Officers
that were
before the
5th of June
1649.

Improve-
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as occasion shall require, send for persons, Leases, Papers and Records that any may tend to the discovery of the full value of the said Estates, or any other matter or thing hereby committed to your trust, and then you are to return Duplicates fairly ingrossed under your Hands and Seals, or the hands and Seals of the major part of you, of the aforesaid Rents, and to such persons as we shall nominate to be the Receivers of the several Rents and Sums of money payable by our said Declaration, & also to our said Vice-Treasurer & Receiver General.

You are also to prepare a particular of all the Forfeited Houses, Lands, Tenements and Hereditaments within the Counties of Wicklow, Longford, Leitrim and Donegal, as also of the forfeited Lands, Tenements and Hereditaments not already disposed of, in the Province of Connaught and County of Clare, lying and being within a Mile of the River of Shannon, or of the Sea, commonly called the Wille-line, and within any Corporation in Ireland, (except as in our said Declaration is excepted) and by Inquest or other lawfull means put a reasonable and just value on all and every the said Houses, Lands, Tenements and Hereditaments, first deducting what shall be made appear to have been laid out by any person on Leases or Contracts for Leases in any Corporation, in building or improving Houses, or in planting Orchards, or Gardens, all which said Improvements shall be ascertained in a moderate way, either by the Surveys formerly taken of them, or that shall hereafter be taken, where you shall see cause to appoint the same.

That you do with all possible speed prepare an Account of the personal Arrears of such Officers or their assigns Serving before the said Fifth day of June One thousand six hundred forty nine, and who have not received any lands or monies in satisfaction for their Arrears, before or since the said Fifth day of June One thousand six hundred forty nine, as also an Estimate of the respective Securities appointed by our said Declaration for satisfying the said Arrears. In Order whereunto, you are to value the Houses, Lands, Tenements and Hereditaments at eight years purchase, deducting the value of such Improvements as shall appear as aforesaid, to have been made on Houses, Orchards, or Gardens; And if by the said Estimate you shall find the said Security will not extend to satisfy twelve shillings and six pence in every pound of the said Arrears, you are to proportion the said satisfaction according to the said Security with equality and indifference; You shall then expose all such Houses, Lands, Tenements and Hereditaments to sale, first giving publique notice of the time and place of such sale, to the end that all persons concerned may give their attendance; In which sale, you are to make special provision that such Officer or Officers, or their assigns, who shall so purchase any of the said Houses, Lands, Tenements or Hereditaments within any Corporation, do enter Security before you grant to him or them any Certificate, as is hereafter directed, to satisfy such as by virtue of any Lease or Contract for Lease, have built or improved any House, or planted any Orchard or Garden either in Money or else by granting unto such person or persons a Lease or Leases of the premises at a Rent proportionable to the said Improvements; and that if any Controversie shall happen therein, the same shall be determined by you, or such as the chief Governour or Governours of that our Kingdom for the time being, and our Council there shall appoint upon the place, to hear and determine the same.

You are to sell all the said Houses, Lands, Tenements and Hereditaments

taments publickly, and at the time and place appointed to such person or persons who will give most for the same, which being sold, you shall forthwith enter such Sales in Books for that purpose to be prepared and provided. Nevertheless that no such sale shall be good or allowed, where the purchase shall not amount unto eight years purchase, or upwards, according to the Rates set by you on such Houses, Lands, Tenements and Hereditaments, Deductions or Allowance being made for the improvements as aforesaid.

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Provided alwayes, that there be for every Twenty shillings that such House, Orchard or Garden-plot is worth, to be let, Eighteen pence yearly reserved to Us, Our Heirs and Successours for ever; And you are to return Duplicates of Our said Books to Our Vice-Treasurer and Receiver-General: You are to take care, that all such Officers who shall purchase any of the said Houses, Lands, Tenements or Hereditaments, do within fourteen dayes after the Contract or Bargain for the same, deliver up unto you so many Debentures as such Purchase doth amount unto, which Debentures you shall cancel; and if any thing remain above the Purchase-money, give unto them others for the remaining part not satisfied, the which Debentures so delivered upon the said Purchase, shall at the making of the Contract be fairly entered in Books for that purpose to be kept: And if any such Purchaser or Purchasers shall fail so to deliver up Debentures according to his purchase as aforesaid, such Sale or purchase shall not be good or allowed unto such purchaser or purchasers, nor such officers Debentures admitted in any other purchase.

Provided alwayes, That where any purchaser shall purchase with money, he shall pay down one fifth part of the money at the making the said Contract, and the remaining part within Eight and Twenty dayes, and failing of the said payment within Eight and twenty dayes, he shall forfeit the said fifth part paid, and the purchase shall be void; and the money so paid in purchase shall be towards satisfaction of the Arrears of the said Officers: The said purchase being fully perfected in manner as aforesaid, you are to give unto such purchaser or purchasers, a Certificate of the particulars thereof, which Certificate such persons shall forthwith Record in Our Surveyor Generals Office, whereupon Our Court of Exchequer shall forthwith grant an Order for the quiet possession of the premises. For your more full information, as well of the particulars aforesaid, as in the value, worth, quantity, quality, Scituation of such Houses, Lands, Tenements and Hereditaments so to be sold, you are to have recourse to the Surveys taken of them; and where you shall suspect such Surveys faulty, you are to appoint fit persons to re-survey and certify the same unto you.

When pur-
chase money
to be paid,
penalty for
non-pay-
ments.

Whereas the Corporation of Bandon-bridge having formerly issued several Sums of Money and Provisions, for the pay and Support of the Army in Ireland, to whom in consideration of the said monies and provisions, lands have been assigned and set out, upon the Receipt of which lands they have delivered up their Vouchers, you are therefore to examin what Lands have been assigned and set out to them, and to settle so much thereof upon the said Corporation as shall amount unto the clear yearly value of one hundred pound by the year. You are also to take care that the Lands set out to Susanna Balfick and her Children be accordingly confirmed to them.

Clause for
Bandon-
Bridge.

Clause for
Susanna
Balfick.

And whereas We have by our said Declaration assigned the benefit arising from the Redemption of Mortgages, Statute Staples, and

Directi-
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redemption
of mortgages
Statutes or
towards
satisfaction
of forty nine
officers.

and Judgements, where the Lands are not already disposed of to adventurers or Souldiers, for and towards the satisfaction of such officers who received no satisfaction for their arrears before the Fifth day of June one thousand Six hundred forty nine, you are therein to observe these following Directions:

You are to have recourse to the Records of the late Court of claims and our court of Erchequer, or other courts, the better to ascertain your knowledg what Lands were so incumbred; as also, if you shall see cause, you are to make inquiry in all places within our Kingdom of Ireland, for the Discovery of such Mortgages, Statute Staples, Judgements, & other Incumbrances: And after such particular knowledg of the premises obtained on the remaining term, you are to make a just Estimate according to the Rates currant of what the fee-simple of such lands, tenements & hereditaments, lying under the said Incumbrances are worth, alwayes deducting the Moneys to be paid in order to discharge the said Incumbrance and the same particularly and distinctly to enter into one or more Books fitted for that purpose; and if the person Entituled to the Incumbrance will pay what the Land amounts to in value above the Moneys payable in discharge of the said Incumbrance, then such person is to have the absolute estate of the said Lands legally settled to him and his Heirs; But if such person shall refuse to pay the said Over-plus, then if any Officer interessed in the said Security, will purchase any part thereof, he shall after discharge of the Incumbrance out of the common Stock of the said security enjoy the same as far as his Debenture, or so much thereof as he shall place thereupon shall reach: And for such part of the benefit arising out of such Incumbred Lands, which shall not be purchased by any Officer as aforesaid, it shall be put to Sale and the monyes by such sales shall be for the satisfaction, as is in Our Declaration expressed.

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be paid.

And whereas We have assigned a years Rent, and a yeare and a halfe Rent payable by the Souldiery in Ireland, towards the satisfaction of such as in our said Declaration are expressed; you are therefore to take care that the said Moneys and Rents be paid unto such persons as we shall particularly appoint to receive the same: who are hereby authorized and Impowered from time to time by proclamation or otherwise, to cause publick notice to be given to the respective adventurers, Souldiers, and others, who are to pay the said moneys of the manner and place for payment thereof: And if any adventurer, Souldier or other person shall refuse or neglect to pay his or their monyes in way or manner, and at the place so to be appointed: the Lands, Tenements and hereditaments of such person so failing, shall be seized into our Hands, and so continue for Security and Satisfaction of the said several rents. And the said Souldiers are to pay the said moneys unto such persons as we shall appoint to collect and receive the same, who are to pay over the same unto our Right Trusty and well Beloved Cousin and Councillour Arthur Lord Viscount Valentia, our Vice-Treasurer of that our Kingdom, who is hereby required to issue forth the same according to such Warrants or orders as he shall from time to time receive from any five or more of you as aforesaid, for and towards the satisfaction of the aforesaid arrears: And to the end our said Vice-treasurer may know what summs of mony he is to receive, all acquittances given by those appointed to collect and receive as aforesaid are to be entred and signed by the several Officers of the Erchequer in the accustomed manner for Acquittances

Penalty for
non-pay-
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Arthur lord
Viscount
Valentia to
issue war-
rents,





You are also from time to time to take a perfect Accompt from such persons so to be imployed, of all the particular Receipts & payments relating to the premilles, which accompts so taken are to be kept in a faire Book, and returned into our Court of Exchequer, that so they may be ready to be produced for the Satisfaction of such as may be concerned therein,

Before you admit any Debenture of any Officer who hath arrears satisfied since June, One thousand Six hundred forty Nine, You shall satisfy such whole arrears you shall state, and such whole arrears are stated, and have not received Satisfaction for their Service before or since June, one thousand six hundred forty Nine, twelve Shillings and six pence in every pound of their said arrears, and then out of the remaining security, as far as it will extend, you are to satisfy the remaining part of the arrears of such as hereby are to receive twelve Shillings and six pence in the pound, as also the arrears due before one thousand Six hundred forty Nine, of such who have received satisfaction for their arrears due since one thousand six hundred forty Nine and this to be done without any priority or distinction in an equal proportion after that you have first made up the deficiency of those who have been satisfied in part since one thousand six hundred forty Nine, but have not yet Lands set out to them to the full of that proportion which they were to have had at the time when the rest of the Lands were set out unto them and others as aforesaid: we having by our said declaration assigned the forfeited houses, Lands, Tenements and hereditaments, not already disposed of, within any Corporation in Ireland, or in the counties of Wicklow Longford, Leitrim and Donegal, and within a mile of the River Shannon, commonly called or known by the name of Mile-Line, for satisfaction of such Officers who served our Royal father, or our Self in Ireland, before the fifth of June, one thousand Six hundred forty nine as in our declaration is directed. In order thereunto our court of exchequer in Ireland is hereby authorized and required to put the premilles out of Charge from the Thre and twentieth of October, last past, without fee or other Charge for the same.

And towards the carrying on the work hereby appointed, and all the contingent Charges thereof, the moneys received by Major William Cadogan, and others, for the Rents of the Counties of Wicklow, Leitrim, Longford and Donegal, and for the Lands in Connaught and Clare, commonly known or called by the name of mile-Line, for several years last past, shall be paid into the hands of such persons as we shall, as aforesaid, appoint to receive the moneys payable by the Adventurers or Souldiers, and the accompts thereof forthwith delivered unto you: The which accompts you are hereby required to Audit and Examine.

All the Rents and Profits of the Houses, Lands, Tenements, and hereditaments by our said Declaration appointed for satisfaction of the said Officers before the fifth of June, One thousand six hundred forty nine, untill the same be sold, as is before directed, shall be paid into the Hands of such persons as we shall appoint as aforesaid, to collect and receive the same, for the ends and uses above mentioned, as also towards the satisfaction of such persons as are to receive Satisfaction for their Improvements in building or repairing Houses, planting Orchards or Gardens: All which said moneys shall be paid by Warrant from You, or any five or more of you aforesaid, directed to our said Vice-treasurer, for the ends and uses aforesaid.

Lands set
out for pub-
lique debts
armes &c.
before 1644.

Whereas several Lands have been set out for satisfaction of money lent or publick Debts incurred for Provisions, Arms and Ammunition, furnished before the year One thousand six hundred Forty four, the which Lands so set out we have by our said Declaration reserved for that purpose; and to the end the persons to whom the said Lands are so set out may receive satisfaction for their said Moneys and provisions, according to the Tenor of our said Declaration you are to compute the Money that ought to have been paid for the said Provision, Arms and Ammunition, together with the Interest for the same unto the time the said Lands were set out, after the rate of 6. pounds per centum per annum: You shall inquire of the value of the said lands what improvements there are made since they were set out, what worth to be sold when set out at the rate of ten years purchase, and who now in possession, and under what Title.

You shall assign so much of the said Lands so set out, as according to ten years purchase, the aforesaid Money for the said provision, &c. with the Interest thereof as aforesaid will amount unto, first deducting the Improvements made on the premises since they were set out as aforesaid.

Concerning
such as be
came bound
for publique
debts.

And whereas James Duke of Ormond, Lord Steward of our Household, together with Sir Philip Percival and Sir George Lane Knights and also others at the instance and request of the said Duke of Ormond, became bound for certain Moneys lent, and publick Debts incurred for provision, Arms and Ammunition, and furnished and delivered in provisions and other Necessaries, in order to the carrying on of the War in that our Kingdom, whereby they have made themselves their Heirs, Executors and Administrators, lyable to Suit, Hazard and Loss, if not provided for and satisfaction set out for the same, which in all equity ought to be done, you are therefore required forthwith to set out forfeited Lands in the Counties of Kildare and Dublin, or one of them, for satisfaction of the said Debts, provisions, and other necessities according to the last fore-going Rules; and that in the mean time neither the said Duke of Ormond, nor any other bound for the said debts at his instance and request, their Heirs, Executors, or Administrators, be sued, molested, or troubled for or concerning the same; And if any of the said Lands already set, or which shall be set out, be restored to former proprietors, you are forthwith to assign other Lands of equal value, worth and purchase in lieu thereof: You are likewise after the same rate of ten years purchase to assign and set out some convenient forfeited lands unto Major George Rayden, in satisfaction of debentures for Arrears and Moneys paid by him for provisions furnished as aforesaid, and for which no satisfaction as yet hath been assigned, as also to Doctor William Petty for his deficient Debentures according to the direction of our Letter of the Second of January, one thousand six hundred and sixty.

Rents pay-
able to His
Majesty by
Adventurers
Soldier, &c.

directions
for the said
rent.

Whereas there is a Rent payable to us out of every Acre of Land assigned, or to be assigned to any Adventurer, Soldier or other person as by our declaration appears in order to the ascertaining thereof, you are to observe these following directions, viz.

Where there is no certain Record of the lands assigned or set out to the Soldiers or other persons, so that the Rent payable to us cannot be ascertained in all such cases you are to cause Proclamation to be made and Certificats to be returned of all such respective Possessions, Debentures and Debts for which the said Lands were set out to them in way and manner, as by our aforesaid Instructions is directed, with respect

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respect unto the method to be observed concerning the Lands assigned unto the Adventurers, wherein you are expressly to distinguish betwixt what Lands are set out for satisfaction of Arrears grown due in England, from what is set out for satisfaction of Arrears grown due in Ireland; you are out of the said Certificates and out of the Surveys and Books of Debentures, or Books of Distributions or Subdivisions of Lands to any Office or place in Ireland forthwith to cause fair Books to be made up, of all the houses, Lands, Tenements and hereditaments, set out to the Adventurers, Souldiers, and other persons whose Estates are confirmed by our said Declaration, together with the Rents and Profits payable unto us according to our said Declaration by such Adventurers, Souldiers and others: And you are carefully and exactly to reduce the measure of such Lands as were set out by Plantation-measure, of twenty one foot to the Pearch, and one hundred and Sixty Pearches to the Acre, to Sixteen foot and an half to the Pearch, and one hundred and Sixty Pearches to the Acre, and accordingly to ascertain the Rent payable to us, the which you are likewise to doe of all the Estates we are graciously pleased to restore unto any Papist, whose Estates were formerly disposed of, or remained undisposed of in our Hands.

Provided such Estates did not formerly pay unto our Royal Father a greater rent, in which case the said greater Rent is to be reserved and paid to us for the future: which Books so made up, you are to lodge as our Court of Exchequer shall direct, with some officer of our revenue, that the Rents may be given in charge: and that no prejudice may be to us, or uncertainty in our Revenue, you are also to prepare duplicates of the said Books to be kept in the office of our Chief remembrancer and treasurers Remembrancer.

And whereas in the Execution hereof it will be necessary to employ several persons, for the enquiry into, and preparing several matters hereby committed to your trust, you are therefore hereby Authorized and Impowered from time to time to nominate and appoint such person or persons as you shall find necessary for Our service herein, unto whom Our Chancellor for the time being for that Our Kingdom, is hereby required and authorized to grant one or more Commissions under Our great seal of that our kingdom for the purposes aforesaid.

And whereas we have by our said Declaration provided that Protestant Plantations shall be settled, Corporations created, Churches erected, Maintenance for Preaching Ministers provided, within the limits & precincts of the Lands to be settled on the Adventurers, & Souldiers, the same being subject to many intricacies & of universal concernment to that our Kingdom: We do therefore refer the whole consideration thereof unto our Parliament for their advice therein.

And you are hereby strictly required to take special care, that the decrees & the Estates in lands set out in satisfaction of the same in the province of Connaught and county of Clare, to any transplanted or transplantable person, and purchased from them, or any of them, by Charles Earl of Mountarath, John Lord Baron of Kingsdown, Richard Lord Coot Baron of Colony, Carey Dillon Esq; Sir George Bingham Baronet, Sir Oliver St. George Kt. and Baronet, Sir John Cole Baronet, Sir James Shaen Knight, Major Arthur Gore, Sir George St. George, Sir James Cusse, John Cyres Esq; Henry Waddington Esq; Captain Robert Parks, Capt. Robert Morgan, and Capt. Owen Lloyd, be confirmed unto them, and every of them their heirs and assigns respectively, they paying one full years value of the profits of such estates to us, our heirs and

Paying one
year's full
value,
not to be
removed till
repaid

Successors, in two years space in such manner, and for such uses as in our late Declaration is offered to be contributed by the adventurers and Souldiers and accepted by us, and that they be not removed from any such Estates in Lands they have so purchased by virtue of such Decrees, untill they be duly repaid out of other forfeited Lands of equal value, worth and purchase, in the said Province of Connaught or County of Clare, or elsewhere, as in our said Declaration is directed for adventurers and Souldiers.

Except.

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3.

Provided that this shall not be construed to confirm the decree of any person for so much thereof as was obtained by injustice, fraud, irregularity or oppression in the proceedings; but especially of any person who had no right nor title by the rules given for making those decrees to the Estates in compensation whereof such decree was granted, if the same shall be made appear unto you before the five and Twentieth day of March one thousand six hundred sixty and three; and in such case it is our pleasure that any of the aforesaid persons who hath purchased Lands upon any such insufficient decree, shall or may place some other unsatisfied or repayable decree upon such Lands.

Provided also, That this Clause shall not extend to confirm unto the said persons any Lands that are restorable by our Declaration to the former proprietors, Repayments being given in lieu thereof, as in the declaration is appointed.

Provided also, That such Transplanted persons who being within Rules of Repayment have been removed from the Lands to which they have been transplanted without any repayment therefore first given, be forthwith repaid in the first place, and before all other repayable persons.

Lands set
out to Sir
Thomas
Herbert &
Benjamin
Worsley
secured to
them.

And that the Lands set out unto Sir Thomas Herbert, and Benjamin Worsley Esq; for their salaries in Ireland, in relation to their Employments about the satisfaction of the Souldiery in stating their Arrears, or surveying or setting out Lands, be confirmed unto them, and their Heirs and assigns severally and respectively.

And if the said Lands, or any part thereof, shall be restorable to the former Proprietors, that a repayment be forthwith assigned and set out unto them, in their Heirs and Assigns, severally and respectively, in lieu thereof in like manner as is provided for such adventurers and souldiers as shall be removed from off their present Estates.

Those who
submitted
to his Ma-
jesty's Ar-
ticles of
Peace.

And whereas some ambiguity or doubt may arise under what Qualifications such persons may be comprehended, who submitted unto our Articles of peace, and inviolably observed the same, yet neither attended us in foreign parts, nor sued out decrees for Lands in Connaught or County of Clare: You are in order to their Settlement to proceed in the same way and method, as by our Declaration is held forth for those that submitted to our Articles, and inviolably observed the same, and attended us in foreign parts.

The several
Interests to
be secured
by letters
Patents.

And for the better quieting, settling and securing the several persons and their interest for whom provision is made in our said Declaration and instructions, and this present Act, the Lord Lieutenant, Lord Deputy, Lords Justices, or other Chief Governour or Governours of that our Kingdom for the time being, upon Certificate signed by you, or any five, or more of you as aforesaid, expressing the name or names of such persons, the quality of their Estates, the number of acres, the Barony, County, and province in which such Estates are, and the rents receivable; as also the Tenure and services, are hereby authorized and required upon request by the person or persons so concerned, to cause effe-

fectual Letters Patents under the Great Seal of that our kingdom, to be passed in the usual manner, of such lands, Tenements and hereditaments to the persons aforesaid, by advice of our learned council in the Law, for that our kingdom, or some of them, as the case shall require, without expecting any further letters, or Warrants from our self, and for so doing these our directions shall be to them, and every of them their sufficient warrant and discharge.

And whereas we, not apprehending that we should arrive at a settlement of our kingdom of Ireland, so soon and with so general satisfaction to all Interests, as we have done, did upon the petitions of several persons asserting their innocence, grant our letters for the repossessing such petitioners of their former Estates, or any part thereof, which letters may possibly not answer to our said declaration and instructions, which now we look upon as the positive and fundamental rule for the Settlement of that our kingdom, the chief Governour and Governours of that our kingdom for the time being, and our privy Council there, are therefore in executing the contents of such our letters to observe the same as they shall fall under our several Rules in our said Declaration, and agreeable to the same, and as in these our instructions are more particularly exprelled, and not otherwise.

For your pains and labour herein, and for the pains and labour of such Sub-Commissioners as you shall employ as aforesaid, we do hereby authorize you to ask, demand and receive from every Adventurer, Souldier or other persons, his or their Heirs or Assigns, now in possession, or to be put in possession, of any Houses, Lands, Tenements or hereditaments, one penny for every Acre of land, as admeasured, assigned, or set out to him or them, for ascertaining their respective possessions; and likewise for every one to be repossessed an estate worth Twenty pounds per annum, the sum of Ten Shillings, and after the same Rate, for greater or smaller Repizes and for every Certificate for Lands to be possessed, the sum of ten Shillings, and one penny in the pound for every Debenture that shall be satisfied by you, and for the Clerks and officers to be employed by you, and the contingent Charges relating thereunto, that the same be paid out of the moneys that shall be received of the Rents due and payable out of the Securities appointed for the Officers before One thousand six hundred forty and Nine.

In the ascertaining, stating and settling of any sum or sums of money, Debentures, Certificats, or Decrees for Arrears, Adventures, publick Debts, Repizes, or other allowed Interests pursuant unto our said Declaration: You are to strike off and deduct all Fractions of odd pounds, Shillings, and pence, and likewise in the ascertaining and settling out of the respective Proportions of Lands which shall be settled or granted in satisfaction of any of the aforesaid Interests: You are to strike off and deduct all Fractions of odd Acres, Woods, and Pearches, taking care that there be not above the one hundred part of any such sum or sums of Money or proportions of Lands, respectively deducted from any one person without his own consent, and that you do keep an exact and particular account of all the said deductions in Money or lands, and cause the same to be satisfied as intirely as may be in such convenient proportions, and in such places as the chief governour or Governours of our said kingdom for the time being shall appoint, which proportions are to be reserved to be disposed of unto such use or uses, as we, our Heirs or Successors shall appoint.

The aforesaid Adventurers and Souldiers being satisfied, and the

Commis-
sioners and
Sub-Com-
missioners
Fees.

To deduct
all Fracti-
ons of money
and Acres.

How the
books are
to be dispos-
ed of

Reprizes made, and the several business finished, as before is directed you are to deliver up your Books not before in these Instructions otherwise disposed of, unto our Auditor General of that our Kingdom of Ireland, and Duplicats of the same to our Surveyor General, in their Offices to remain as of Record.

To observe
Chief Govern-
ors and
Council's
further di-
rection

In the management of which said Trust, you are from time to time as the case shall require, to give an accompt to our chief Governour or Governours for the time being, and our council in Ireland, of your Proceedings, and to observe and follow such further directions as you shall from time to time receive from us, or from them pursuant to this Act.

No Com-
missioner or
other person
employed
before the
work be fi-
nished shall
purchase
any land,

And for the more due and impartial execution of our said declaration and these Instructions, it is our will and pleasure that no Commissioner or other person employed, acting in this Service shall till the work be finished purchase by themselves or others in their behalf, or to their use, or in Trust for them or any of them, any of the Lands Tenements and hereditaments, that are to be settled, confirmed, re-prized, or restored by virtue of our said Declaration, but shall before they enter upon this Trust respectively give in Lists under their Hands of such Lands, Tenements, and hereditaments, as they are Intituled too, or possess of, to the Lord Lieutenant, or other Chief Governour or Governours, and Council for the time being, who are to take care for the observing this instruction.

Lord Massareene & Daniel O Neill

And you are hereby further required, to re-prize John Lord Massareene and his Heirs, with an Estate of like yearly Rent in the province of Leinster, to that of which he stands seized in the Barony of Dunluce, in the County of Antrim, and to cause our Letters dated the Eighteenth day of December, One thousand six hundred and Sixty and the fourteenth of August, One thousand Six hundred Sixty and one, to be put into speedy execution for the full satisfaction of the said Lord Massareene to all intents and purposes: which being done, you are then to cause the said Estate whereof the said Lord Massareene is seized in the Barony aforesaid, to be delivered to Daniel O Neill groom of our Bed-chamber, in satisfaction for an Incumbrance of a much greater value wherewith the Barony of Dunluce set out to the Adventurers stands charged for the behoof of the said Daniel O Neill.

Lord Massareene & Henry O Neill

And for the better satisfaction of the Lord Massareene, for the Estate of Henry O Neill of Killelaugh in the County of Antrim Esq; which he is also to part from: You are likewise out of the Forfeited lands in the County of Dublin to Re-prize the said Lord Massareene and his Heirs, with an Estate of equal value, worth and purchase, to that which the said Lord Massareene stands now seized of, and which did formerly belong to the said Henry O Neill, to hold to him the said Lord Massareene and his Heirs, which being done, you are then to deliver to the said Henry O Neill the Estate formerly belonging to him, whereof the said Lord Massareene is seized as aforesaid as an Adventurer.

Lord Massareene

Nevertheless the said several Adventurers shall be subject to such deductions as other lands, according to the Rules of his Majesties Declaration and Instructions and this present Act, reserving alwayes liberty and licence to the said Lord Massareene, to place and be satisfied on the said deductions such sum of money as the deductions before-mentioned shall amount unto, out of what shall be due to him for deficiencies, Incumbrances or Arrears, before the year One thousand six hundred forty and nine, the Arrears to be in such case and manner, and

at such Rates as are allowed to others before the said year, One thousand six hundred forty and nine, and the deducted lands upon which such deficiencies, Incumbrances or Arrears shall be so placed, shall be enjoyed by the said Lord Massareene and his Heirs, as if they had been given out for an Original Adventure.

And the said Lord Massareene shall enjoy the several lands wherein he shall be so as aforesaid reprimed to him and his Heirs, subject to the like Rents, Services, Payments and Tenures as other Adventurers for lands within the Province where the reprim shall be given, are subject unto, and with the like benefit of new Reprim in case of restitution, removal or Incumbrance, as other Adventurers are to have, by this present Act.

And in case the Mannor, Castle, Town and lands of St. Woolstons, alias Allens Court, in the County of Kildare, or any other the castles, ^{Earl of Mount-Alexander touching St. Woolstons} manors, towns, lands, advowsons, tenements and hereditaments in the County of Kildare, and County of Dublin, or either of them, formerly the Inheritance of Sir Thomas Allen Knight deceased, or now belonging to the Lady Allen his Wife, for term of life or years yet to come, and the remainder or remainders thereof, unto Robert Allen, John Allen, William Allen, and James Allen, some or one of them shall upon inquiry be found to be forfeited, you are hereby required to cause the same to be delivered unto our Right Trusty and Right well beloved Cousin and Counsellour Hugh Earl of Mount-Alexander, to have and to hold, to him the said Hugh Earl of Mount-Alexander, his Heirs and Assigns for ever; subject nevertheless to the payment of the like Rents and Services, as the Adventurers for lands in the Province of Leinster are subject unto, and with the like benefit of Reprim in case of restitution, as any Adventurers, their Heirs and Assigns, have or ought to have, and also with benefit of Reprim, in case any Adventurer be Intituled to the same or any part thereof.

Provided alwayes, That whensoever we shall declare under our Great Seal of England or Ireland, our Will and Pleasure to revoke the Estate hereby granted, in all or any part of the premises, that then and immediately from and after such Declaration the Estate so revoked, shall cease and determine, and remain subject unto the Rules and Ends of this Declaration, as if this Grant had not been made.

And whereas Sir Charles Lloyd Baronet, became an Adventurer ^{Charles Lloyd} for lands in Ireland, upon the Acts passed in the Reign of our Royal father, and afterwards according to the rules and method used in the late times of Usurpation, had a Lot for nine hundred pounds parcel of the said Adventure fallen within the Barony of Slewemargy in the Queens County, and for one thousand pounds residue of the said Adventure, had another Lot fallen unto him in the Barony of Conello in the County of Limerick, and certificates delivered unto him accordingly.

Notwithstanding all which proceedings, no possession hath ever been yet delivered unto the said Sir Charles Lloyd, but the same hath been detained from him by others who have left their own Lots to enter upon his, our will and pleasure therefore is, That you cause speedy right to be done to the said Sir Charles Lloyd, and possession to be delivered to him according to the Rules formerly used, to have and to hold to him the said Sir Charles Lloyd and his Heirs under the like rents and tenures, and with the like benefit of Reprimals as other Adventurers ought to have.

Half Barony of Ferris
before in
13th Chap.
18th.

Provided also, and be it further Enacted by the Authority aforesaid, That all and singular the forfeited lands, tenements and hereditaments of, or within the Half Barony of Ferris in the County of Mayo, wherein the Harbour of Broad Haven is situated, together with all the Mines and Mineral therein, and all Fishings on the Seacoasts of the same as also on the Loughs and Fresh Rivers thereunto in any wise belonging or appertaining, be, and they are hereby bestowed, settled and continued in your Majesty, your Heirs and Successors, to be disposed of to such use or uses as your Majesty shall think fit: Any thing in this Act contained to the contrary in any wise notwithstanding.

nee proceed-
ing upon
Commis-
sion issued
before the
1. of March
1667.
till new
Commission
Issue

And you are hereby required not to proceed upon the return of any Commission of Inquire after the value of Estates to be restored or repossessed, issued out before the first of March, One thousand six hundred sixty and one, until the Lord Lieutenant, or other chief Governour or Governours of our Kingdom of Ireland for the time being, shall have issued out new Commissions of Inquiry, which we do hereby authorize him or them to do: And that such Commissions shall be likewise returned, and after the Return of such new Commissions, you are then to proceed either upon the former or latter Returns, as you in your discretions shall judge to be most expedient.

And we do hereby give further power and authority to the Lord Lieutenant, or other chief Governour or Governours of our said Kingdom for the time being, to issue or cause to be issued such other Commission of Inquiry as shall be necessary for the Information and Instruction of the Commissioners to be appointed for the execution of the said Declaration, Instructions and this Act.

Declara-
on Instructi-
ons ratified
& confirmed

And be it further enacted by the authority aforesaid, that the said Declaration, Instructions, and all and every Article, Clause and thing, Powers and authorities therein or thereby given or contained with and under the Provisoers, Additions and Alterations in this Act mentioned and expressed, be and are hereby Enacted, Ratified and confirmed.

power refer-
red to his
Majesty to-
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ther com-
missioners.

And be it further enacted by the authority aforesaid, that notwithstanding any mention of Commissioners Names herein before made, It shall and may be lawful for the Kings most Excellent Majesty, his Heirs and Successors, from time to time, to nominate and appoint such and so many other Commissioners as his Majesty shall think fit, for putting in execution his Majesties said Declaration and Instructions and this present Act: which Commissioners so to be appointed from time to time, and no other, or so many of them, as by his Majesty, his Heirs and Successors shall be therein directed, shall have full power and authority to put the said Declaration and Instructions and this present Act in execution according to the Tenour & effect thereof, & to administer Oaths: & further that whatsoever Act or Acts, thing or things, any Commissioners heretofore Lawfully Authorized have done or caused to be done, or any other Commissioners hereafter to be appointed as aforesaid, shall do, or cause to be done according to & in pursuance of the said Declaration and Instructions & this present Act, shall be hereby judged and declared & are hereby judged & declared to be good, firm & effectually in the Law to all intents and purposes: And that they and every of them shall be and are hereby ratified and confirmed to the final Settlement of every such person or persons, their Heirs and Assigns, according to such Decrees, Sentences, orders or Judgements, as have been or shall be by the said Commissioners as aforesaid respectively given for, or concerning any matter Cognizable by them against his Majesty:

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Majesty his heirs & successors, & all & every other person or persons whatsoever, their heirs or assigns, any thing in the said Declaration or Instructions, or in this present Act to the contrary notwithstanding.

And be it further Enacted by the authority aforesaid; That all and every person and persons who shall at any time hereafter be nominated and appointed by his Majesty his heirs and Successors, to serve in the place of a Commissioner for the putting in execution the said Declaration and Instructions and this present Act, shall before they Act any thing in the execution of the said Commission, take an Oath before the Lord Chancellor, or Lord Keeper, or Commissioners for the Custody of his Majesties Great Seal of this Kingdom, or before the Lord Chief Justice of his Majesties Court of Chief place of this Kingdom for the time being, or before the Lord Chief Justice of his Majesties Court of Common Pleas of this Kingdom for the time being, or before the Lord Chief Barron of his Majesties Court of exchequer of this Kingdom: which Oath, they or any of them have hereby power from time to time, as there shall be occasion, to administer in these words following.

YOU shall swear, That you shall to the best of your skill and knowledge, truly and impartially administer Justice between his Majesty and the Subject, and between party and party in the place of a Commissioner, for putting in Execution his Majesties Gracious Declaration and Instructions for the Settlement of Ireland, according to an Act intituled, *An Act for the better Execution of his Majesties Gracious Declaration for the Settlement of his Kingdome of Ireland, and satisfaction of the severall Interests of Adventurers, Souldiers, and other his Subjects there*, so long as you shall continue in that Employment.

So help you God in Christ Jesus.

And Be it further enacted by the authority aforesaid, That all and every the persons who shall be appointed to serve in the Offices or Employments of Register, Clerk, Surbeyor or any of them or in any other Ministerial Office or Employment, relating to the Service of his Majesties Commissioners to be appointed as aforesaid, shall before they enter upon any of the said offices or Employments, take an Oath before some of the Commissioners to be appointed as aforesaid: which Oath the said Commissioners, or any two of them have hereby power to administer in these words following:

YOU shall swear, That you shall well and truly execute the place of according to the best of your skill and knowledge, and therein you shall spare no person for favour and affection, nor any person grieve for hatred or ill will:

So help you God in Christ Jesus.

And Be it further Enacted by the authority aforesaid, That it shall and may be lawfull to and for all and every the Registers, Clerks, Surbeyors and other the ministerial Officers which at any time hereafter shall be used or employed in the Service of his Majesties Commissioners, to be appointed for Execution of the Declaration and instructions, and this present Act, to take as a Recompence for their respective Pains and Industries, such Fees, Salaries or Rewards onely and no other, as by the Lord Lieutenant or other Chief Governour or Governours for the time being shall be limited and appointed.

And whereas by the said Declaration of the Thirtieth of November, One thousand six hundred and sixty, the time limited for Adventurers claiming and making their deficiencies appear, was the first day of May now last past.

Be it enacted, and it is hereby enacted, That that time be enlarged to the nine and twentieth day of September, One thousand six hundred sixty and two.

And whereas by the said Declaration the time limited for discovering

For disco-
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bery.

inlarged to
the 23d. of
October
1663.
for legal in-
cumbzance
to the 23d
of October
1662.

Rating ar-
rears for 49
Officers to
the first of
May 1663.

for innocent
Papists to
the first of
August 1662

for possessi-
on of decreed
lands in
Connaught
to the first of
August 1662

for such as
served his
Majesty be-
yond Seas
to the 23d of
Ap 1663

claimants
to put in
their claim
within 31
days after
proclama-
tion.

ing bybery, forgery, subornation of witnesses, and false or untrue ad-
measurement, is the twentieth day of December, One thousand six hun-
dred sixty one;

Be it enacted, and it is hereby enacted, that the time being be inlar-
ged to the Three and twentieth day of October, which shall be in the
year One thousand six hundred sixty three.

And whereas by the said Declaration legal Incumbrances, resting
upon lands set out to Adventurers and Souldiers, are to be satisfied
out of Forfeited lands in the County of Kildare, except as in the said
Declaration is excepted, such Incumbrances being made appear by
the Three and twentieth of October, One thousand six hundred sixty
one.

Be it enacted, and it is hereby enacted, That that time be enlarged to
the Three and twentieth day of October, One thousand six hundred six-
ty two.

And whereas all Commissioned Officers before One thousand six
hundred forty nine, whose Arrears were not stated on the Thirtieth day
of November, One thousand six hundred and sixty, are by the said De-
claration to have their Arrears stated before the Nine and twentieth day
of September, One thousand six hundred sixty one.

Be it enacted, and it is hereby enacted, That that time be enlarged
to the first day of May, One thousand six hundred sixty three.

And whereas by the said Declaration all innocent Papists are to
be restored to their Estates by the Second of May, One thousand six
hundred sixty one.

Be it enacted, and it is hereby enacted, That that time be enlarged to
the first day of August, One thousand six hundred sixty two.

And whereas by the said Declaration it is declared, That in case any
justly Intituled to the Peace in the said Declaration mentioned, have
obtained Decrees for lands in the Province of Connaught or County
of Clare, in lieu of their former Estates, and have not been possessed of
lands according to their respective Decrees, That if by the first day of
November, One thousand six hundred sixty one, they shall not be pos-
sessed of such decreed lands, they shall immediately after the said day
be otherwise satisfied for the same.

Be it enacted, and it is hereby enacted, That that time be enlarged
to the first day of August, One thousand six hundred sixty three.

And whereas as to those who continued with his Majesty, and ser-
ved faithfully under his Ensigns beyond the Seas, who were by the
said Declaration to be restored to their former Estates, a Reprieve being
first assigned and legally set out of the remaining Forfeited lands un-
disposed of to Adventurer or Souldier, or other person, as in the said
Declaration is mentioned: And that the furthest time for such Restau-
rations and Reprieves is by the said Declaration limited to be by the
Twenty third day of October, One thousand six hundred sixty one;

Be it enacted, and it is hereby enacted, That that time be enlarged to
the Three and twentieth day of April, One thousand six hundred sixty
three.

And be it further enacted, and it is hereby enacted by the authority
aforesaid, That all other persons, Bodies Politick and Corporate, who
have not already put in their Claims before the Commissioners hereto-
fore appointed for execution of the said Declaration, do put in the same
within the space of One and thirty dayes next, and immediately after
the day which shall be appointed by a Proclamation made, or caused to
be made, in the City of Dublin by the Lord Lieutenant, or other chief

Governour or Governours of Ireland, for the time being: which Proclamation shall not be made until such time as the Commissioner appointed by his Majesty for the execution of the Declaration and Instructions and this present Act, shall be arrived at Dublin, and shall have assembled and met for the execution of their Commission, but shall be made as soon after as conveniently may be: And that after the said time shall be expired, no Claims shall be received, but the parties left without remedy and debarred for ever, without his Majesties special order in that behalf upon accidents or emergencies where Justice shall require the same.

And whereas in the respective Securities herein, and hereby designed and allotted unto the several Officers serving before the fifth of June, One thousand six hundred forty and nine, who have received no satisfaction for their said Services, there is allotted to them satisfaction out of all the forfeited lands, tenements and hereditaments, in the Counties of Wicklow, Longford, Leytrim, and Donegal, and out of the lands forfeited and undisposed of in the Province of Connaught and County of Clare, lying within one mile of the River Shannon, or of the Sea commonly called the Mile-line, and out of the houses and tenements forfeited in Ireland in the several walled Towns and Corporations, and Lands thereunto belonging, not already set out to Adventurers and Souldiers: And out of the benefit accruing out of the redemption of Mortgages, Statute Staples, and Judgements where lands are not so given out to Adventurers and Souldiers, and out of one years rent and profit of the lands set out to the Officers and Souldiers for their Arrears in the year, One thousand six hundred fiftythree: And likewise of the Army then, (viz.) on the Thirtieth of November, One thousand six hundred and sixty, in being, according as those respective said Estates yielded in the year, One thousand six hundred fifty nine: As also out of one year and a halfe rent and profits arising out of the lands for the Arrears of those Officers and Souldiers who were ordered or received satisfaction for their said Arrears in the year One thousand six hundred fifty five, One thousand six hundred fifty six, and One thousand six hundred fifty seven, according as the Estates yielded in One thousand six hundred fifty nine: Whereupon some doubt have been made concerning the words [forfeited and undisposed] and concerning the words [several walled Towns and Corporations] and concerning the words [lands thereunto belonging] and concerning the words [Mortgages, Statute Staples, and Judgments:] and some doubts have also risen concerning the limitation of Time from whence the said Year, and the said Year and a half shall commence.

It is therefore hereby declared and enacted, that the said word [forfeited] shall be deemed and taken not onely of such lands, tenements and hereditaments, as are already forfeited by Judgment, Confession, Verdict or Out-lawry, but such as by reason of any Act or Acts of the said Rebellion already committed by the several and respective Proprietors hereof shall or may be forfeitable: And that the word [undisposed] shall be intended and taken for undisposed by this Act: And that the several words [walled Towns and Corporations] shall be construed to extend to all Cities and Corporate Townes within the Kingdom of Ireland: and that the words [lands thereunto belonging] shall be construed to extend to all lands forfeited, or reputed to be forfeited in manner as aforesaid, lying and being within the said Cities, walled Towns or Corporations, or within the Suburbs and Liberties thereof.

thereof, and not set out to Adventurers or Souldiers or other Protestants mentioned to be preserved in the said Declaration: And that the words [Mortgages, Statutes Staples and Judgements] shall be construed to extend to Statutes Merchant, Recognizances, Elegits, and all Conditional and Defeasable Estates, and to all incumbrances whatsoever within the Kingdom of Ireland not otherwise disposed of, according to the said Declaration.

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And it is further Declared and Enacted, That the said year and the said year and a half shall commence from the Nine and Twentieth day of September, One thousand Six hundred sixty and two, as to such as shall then enjoy the lands set out to them for their Adventures and Arrears: And for such as shall be removed and not Reprized by the said Nine and Twentieth day of September, one thousand Six hundred Sixty two: The said year and the said year and a halfs Rent, shall commence within Six Months after such time as such persons shall be reprized respectively the said Payments to be paid half yearly at Easter and Michaelmas by even and equal portions.

And whereas it doth remain in his Majesties power to grant restitution to such of the innocent Papists, who have been dispossessed for publick security of houses and Lands within any of the said Corporations.

And whereas also other innocent Papists are by his Majesties said Declaration restorable to their Estates, part of whose Estates may fall within the said Securities:

And whereas likewise his Majestie in the said Declaration hath appointed certaine persons by Name to be restored to their ancient Estates, part of whose Estates may likewise happen to fall within the said securities of the said Officers, whereupon some Doubt hath arisen concerning the Reprizals, which in cases for restitution are to be given to the said Officers:

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Be it therefore enacted by the authority aforesaid, that in case any such person or persons shall be so restored, whose Estate or Estates, or any part thereof, lies within the said Securities, that the like courses shall to all intents and purposes whatsoever be taken for the Reprizals of the said Officers, as in the said Declaration is prescribed for the Reprizal of the said adventurers and Souldiers.

Earl of
Mountraths
Clause.

And be it further Enacted, and it is hereby Enacted by the Authority aforesaid, That Charles Earl of Mountrath, who hath so eminently merited in the late Transactions in this Kingdom, shall be paid his Arrears due for Service in Ireland before the Fifth day of June, One thousand Six hundred forty nine, equally with the said Officers before One thousand Six hundred forty nine, out of the Security aforesaid, so as the said Arrears exceed not the sum of Six thousand pound, any thing in this Act to the contrary notwithstanding.

And whereas his Majestie is graciously pleased to declare, That the forfeited Lands and houses already set out for satisfaction of money lent, or publick Debts incurred for Provisions, Cloaths, Arms, Ammunition and all other Necessaries for the Support of the Army in Ireland, shall remain disposible for satisfaction of the said Debts: And in case they shall fall short, then to have satisfaction allotted to them out of the remaining Lands and houses set out for satisfaction of the Arrears of the Commission-Officers due before One thousand Six hundred forty nine in the Counties of Wicklow, Longford, Donnegal, Leryim, the Mile-Line in Connaught and Clare, and the Houses in the Cities, Walled Towns, and Corporations in Ireland:

It is enacted, and be it enacted, That all such persons, and all

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every the Heirs, Executors, Administrators & Assigns of such persons who have lent Money or furnished any Provisions, Cloaths, Arms or those who have sent Ammunition: for the Support of the Army in Ireland before the sixteenth of September One thousand Six hundred forty three, shall be satisfied their just Debts of the aforesaid Securities. money or furnished provisions to the Army before the 16th. of September 1643 both to be satisfied

And be it further Enacted, That all such persons, their Heirs, Executors and administrators who have entered into Bonds, or given any Security by Bills of Exchange, or otherwise, for the Debts aforesaid, shall be in the mean time till Satisfaction be made and granted as aforesaid, saved, discharged and kept harmless and not liable to any Suit or Prosecution against them or any of them, their heirs, Executors, administrators or Assigns respectively. 16th. of September 1643 both to be satisfied

Provided alwayes, and it is hereby Enacted, That the Town and Lands of Ballyanin, Carriduff, East Ballibodicke, West Ballibodicke, and West Ballintobride in the Barony of Barimore, and County of Corke, set out and disposed to Sir St. John Broderick Knight, in the yeare of Our Lord One thousand Six hundred fifty foure, and now in his possession, shall be and are hereby vested in, and settled upon the said Sir St. John Brodericke, his heirs and Assigns forever, by and under such Tenures, Rents and Services as are appointed by Your Majesties said Gracious Declaration, and this Act, for Lands set out in the Province of Munster, in Satisfaction of Arrears for Service in Ireland. Sir St. John Broderick's Clause.

Provided nevertheless, and it is hereby Declared and Enacted, That your Majesties Lieutenant, Deputy, Justices or Justice, or other chief Governour or Governours of this Kingdom for the time being, shall and may, and hereby are impowred and authorized to apportion and divide from time to time, the cost and charges which have been or shall be necessarily expended by the Commissioners or others, in, for and concerning the Execution of the said declaration, that the same shall be equally satisfied by the whole Adventurers, Officers, and Souldiers that have or shall have Lands for Adventures or Arrears, either before one thousand Six hundred forty nine, or since, without any Distinction, and that the Officers who served in Ireland before the fifth of June, one thousand Six hundred forty nine, or their Securities, be not charged with more than their rateable Shares, and due Proportion; any thing herein formerly mentioned to the contrary thereof notwithstanding. adventurers Officers & Souldiers &c to be at equal share of the charges expended by the Commissioners.

And whereas the Committee of adventurers sitting at Grocers Hall London, for the better management of their affairs in relation to their Adventures, are necessitated in Order thereunto to endeavour the raising of a considerable sum of money of and from the said respective adventurers, as well for paying of the Debts already contracted, as for the defraying the publick Charges for the better carrying on of the said Service for the future. And for as much as some of the said Adventurers may prove to be refractory in paying and allowing their reasonable proportions of money towards the Charges aforesaid, It being nevertheless expedient that a Service of such publick and common advantage should be equally borne and paid by all persons concerned therein, according to their respective Interests:

Be it therefore further Enacted by the authority aforesaid, That every of the said Adventurers their Heirs or assignes, whose Estates are to be confirmed, pursuant to your Majesties said Gracious Declaration, shall allow, satisfy and pay such sum and sums of money as the said Committee or any five or more of them shall think fit and appoint

The adven-
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pay such
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said Com-
mittee or
any five
shall appoint
to whom
the same
shall be
paid.

for the carrying on of the said Service, such sum and sums of money not exceeding Two Pence in every Twenty Shillings adventured by such Adventurer; and in default of such appointment, That two pence in every Twenty Shillings adventured by such Adventurer, be raised and levied; and that the same shall be paid to Erasmus Smith Esq; Martin Poel of London Esq; William Barker of London Esq; Thomas Gower of St. Mary Wool-Church of London Esq; Edward Smith of St. Mary Overies Esq; and Hugh Ratcliffe of St Martins Esq; or to such person or persons, as they the said Committee of Adventurers sitting at Grocers Hall, or any five or more of them, from time to time shall direct and appoint: and in default of payment thereof, it shall and may be lawfull to and for the persons aforesaid or any of them, or such other person or persons as they shall direct or appoint, to leavy by Distress, and Sale of the Goods and Chattels of such persons so making default, double the sum in arrears, rendering the Over-plus to the party distrained.

Sir Francis
Willoghby's
Clause.

And whereas Sir Francis Willoghby Knight lately deceased by the Tyranny and Oppression of the late Usurpers was in his life time cast out of all Commands in this Kingdom, and enforced to gibe up all his Debentures and Warrants of full pay for his Service in Ireland, before the year One Thousand Six Hundred Forty Nine, they assigning him onely Two Thousand Acres in the County of Clare for Two Thousand Pounds in full Satisfaction of his whole arrears:

Proviso for
Dame Eliz.
Willoghby
relict & exe-
cutrix of the
said Sir
Francis

Be it hereby further Provided and Enacted by this present Parli-
ment, and by the authority of the same, that no less prejudice or da-
mage whatsoever, shall arise to or befall Dame Elizabeth Willogh-
by, the Relict and sole Executrix of the said Sir Francis Willoghby,
for or by reason, or in respect of her said Husbands necessitated accept-
ing of the said Lands in the County of Clare, in Satisfaction of all
his said Debentures or Warrants of full pay in manner as aforesaid
other than the abating out of his whole arrears the aforesaid sum of
Two Thousand Pounds, and the Issues or profits of the said Lands
and tenements, since the time of the said abatement and acceptance
had and received. But as to the residue of the said arrears due unto
the said Sir Francis Willoghby before the fifth of June, One thousand
six hundred forty nine, for his Service in Ireland, the said Dame Eli-
zabeth Willoghby and her Assigns, according to your Majesties Gra-
cious Intentions declared by your Letters of the Thirtieth of March,
One thousand six hundred sixty one in her behalf, shall be admitted and
accepted to have, ask, demand and receive as full and ample satisfac-
tion for the same, out of the Securities by this Act set apart for satis-
fying the arrears of the Commissioned officers, before the fifth of June,
One Thousand Six Hundred Forty Nine, to all intents and purposes,
as if she were to that end named, provided for and saved in Your Ma-
jesties Declaration of the Thirtieth of November, One thousand Six
Hundred and Sixty, and as any Commissioned Officer or Officers
whatsoever who served in Ireland before the year One thousand Six
Hundred Forty Nine, and hath hitherto received no part of satisfaction
for such his Service, shall, may or ought to receive; any Clause, Ar-
ticle, Matter, or thing whatsoever in this present Act mentioned or
contained to the contrary thereof notwithstanding.

Proviso for
Dublin
Bagnet

Provided alwayes, and be it further enacted by the Authority afore-
said, That any clause, sentence, matter or thing in this Act, or in any
other Act or Acts passed or made, or to be passed or made in this present
Parliament, contained, mentioned or expessed, shall not or may at-
tain

taint, or condict, or be otherwise prejudicial unto **Dudly Bagnel Esq;** Henry Bagnel and Catherin Corbet alias Bagnel. Son and Heir of **Walter Bagnel**, late of **Dunlickny** in the County of **Catherlogh Esq;** deceased, nor to **Henry Bagnel** Brother of the said **Dudly**, nor to **Catherin Corbet**, alias, **Bagnel**, sister of the said **Dudly**, nor to the Heirs or Issues lawfully begotten of the said **Walter Bagnel**, **Dudly Bagnel**, **Henry Bagnel** or **Catherin Corbet**, alias, **Bagnel**, nor of any or either of them: and that the said **Dudly Bagnel**, **Henry Bagnel**, and **Catherin Corbet**, alias, **Bagnel**, and every of them, and the Heirs and Assigns of every of them respectively, shall have, hold and enjoy their respective Estates and Interests in law or equity in all and every the Castles, Lordships, Mannors, Segniories, Lands, Tenements, Rents, Reversions, Remainders and Hereditaments, with their and every of their appurtenances, which did of right belong or appertain unto the said **Walter Bagnel**, or whereof he was seized, as of his Estate of Inheritance in use, possession or remainder, on the Thre and twentieth day of October, in the year of our Lord One thousand six hundred forty one, or at any time after any Act or Acts, ordinance or ordinances, matter or matters, thing or things, done or to be done in this present Parliament, or otherwise at any time since the Thre and twentieth day of October, One thousand six hundred forty one, to the damage, prejudice or harm of the said **Walter Bagnel**, his Heirs or Assigns, to the contrary notwithstanding.

Provided alwayes, and be it Enacted, That neither this present Act nor any thing therein contained, do any wayes prejudice or tend in any manner to alter any Right, Title, Interest, Mortgage or Lease that Proviso for Sir John Temple and the Lady Temple **Sir John Temple** Master of the Rolls in this Kingdom, or his late Mother the **Lady Temple** had in the year One thousand six hundred and forty, to any Lands, Tenements or Hereditaments, belonging to **Walter Bagnel Esq;** late Father of the said **Dudly Bagnel**, lying or being within the County of **Catherlogh**; Saving nevertheless to all and every person and persons, bodies politic and corporate, their Heirs, Executors, Successors and Assigns, such Right and Title either in law or equity, and such benefit and advantage of redemption which they or any of them could or might have had either in law or equity, as fully and amply as if the Proviso herein last before mentioned had never been had or made, any thing in the said Proviso to the contrary hereof notwithstanding.

Provided also, That so much of the Forfeited Lands in the Towns Proviso for George Rawden Esq; and lands of **Lispodel**, **Purstown**, **Wegestown**, and **Cordenstown**, with their and every of their appurtenances, situate in the Barony of **Balrothery** in the County of **Dublin**, containing according to the Down Survey, One thousand two hundred forty nine Acres, shall be held, possessed and enjoyed by **George Rawden Esq;** his Heirs and Assigns for ever, as shall amount unto a full and just satisfaction of the publick debts due to him by Debentures, for provisions and money disbursed for the use of the Army in Ireland, according to his Majesties Gracious Declaration and Instructions, which principal debt with the Interest thereof cast up according to the Rate of six pound per cent. amounteth unto Two thousand thre hundred twenty four pounds ten shillings four pence.

And that in case the said Lands, or so much thereof as will amount unto a full satisfaction of the said sum be not forfeited, or if it shall happen that so much thereof shall be restored as that the residue shall not be sufficient to satisfie him the said **George Rawden**, that then he be satisfied and reprieved for the same by some other Forfeited lands in the County of **Dublin**.

Intrests of
protestants
or Innocent
papists
leasles of
any Tythes
prescribed.

Provided, That this Act, or any thing therein contained, shall not extend, nor be construed to extend to the prejudice of any Protestant or Protestants, or Innocent Papists, their Innocent Executors or Administrators, holding Tythes by Lease or Leases, derived from the Crown, for or by reason or occasion of any advantage or forfeiture which may be taken for the Non-payment of the Rents reserved to the Crown by such Leases for the time past, but that every such Protestant and Protestants, and Innocent Papists, their and every of their Executors and Administrators, holding any of the said Tythes, shall and may have, hold and enjoy the said respective Tythes during the respective Terms of years thereof yet unexpired without any advantage to be taken against them, or any of them for Non-payment of the said Rents for the time past, as if this Act had never been made.

Provido for
Sir Robert
Meredith
and Sir
William
Meredith

Provided, That this Act, nor any thing therein contained, shall not extend or be expounded to extend to the prejudice of Sir Robert Meredith Knight, nor his Son Sir William Meredith Baronet, nor their Heirs or Assigns, nor any persons possessed or interested in their behalfs in the Lands, Tenements or Hereditaments of Green Hills, heretofore called Bishops Court, near the Liffie in the County of Kildare, nor any part, member, or parcel thereof.

Provido for
Sir William
Petty.

And be it further Enacted, That all the forfeited lands, Tenements and Hereditaments set out, assigned or delivered unto Sir William Petty Knight, by the name of Doctor William Petty, and by him possessed on the Seventh day of May, one thousand six hundred fifty nine, be settled upon, and confirmed unto him, his heirs and assigns forever; any thing in this Act, or in his Majesties Instructions of the Nineteenth of February, One thousand six hundred and sixty, to the contrary notwithstanding; the same to be held according to such Tenures, Rules, Rents, Services, and under such limitations and directions for Reprizal, and otherwise, as in his Majesties Declaration of the Thirtieth of November, One thousand six hundred and sixty, is set down and expressed concerning such as were then of his Army in Ireland.

Churches
restored to
possession of
Lands ac-
tually seized
in 1641.

And whereas his Sacred Majesty, having under his serious consideration the present Settlement of this Kingdom, is very desirous to confirm and enlarge the designed bounty and goodness of his late Royal Father of ever blessed memory, by adding to the Revenue of the Church of this Kingdom: Be it therefore Enacted and Ordained by the King our Sovereign Lord, with the assent of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by authority of the same, That all and every the Mannors, Lands, Tenements and Rents whereof any Archbishop, Bishop, Dean, Dean and Chapter, or any other Ecclesiastical person or persons whatsoever in his or their politick Capacity, or any of them, were actually seized, or by themselves or their Tenants possessed, in the year of Our Lord God One Thousand Six hundred Forty One, and out of which, or any part thereof, they or any of them through the fury and violence of the late times, have been since dispossessed, be forthwith restored, settled and delivered into the quiet and peaceable possession of the respective Archbishops, Bishops, Deans, Deans and Chapters, and other Ecclesiastical person and persons, and their Successors: Saving to all and every person and persons, Bodies Politick and Corporate, their Heirs and Successors, and the Heirs and Successors of every of them, (other than such person and persons, their Heirs, Executors, Administrators and Assigns, who are not, or shall not according to the Qualifications in this present Act, be adjudged innocent Papists)

Saving.

Except.

A liberty to implead, sue for, and recover by due course of Law, any Right, Title, Claim and Interest, which they or any of them lawfully have, or of right ought to have, in all or any part of the said reftored Mannors, Lands, Tenements and Rents, any thing in this Act to the contrary notwithstanding.

And be it further Enacted by the authority aforesaid, That all and every Lease and Leases set or demised for any certain term of years yet ^{forfeited} unexpired by any Archbishop, Bishop, Dean, Dean and Chapter, or other Ecclesiastical person or persons, or their ^{Church} Successors in their political capacity, of any Lands, Tenements or Hereditaments, so unto ^{leases re-} them belonging or appertaining, and that are by this present Act ^{fozfeited} forfeited or vested in his Majesty, that all and every such Land so forfeited, and the remainder of the term of years yet to come and unexpired of such lease or leases, shall be and are hereby given, assigned, assured and confirmed unto the respective ^{Church} Sees or Bodies politick to whom the reversion after such lease or leases do, or shall of right belong, except ^{except the} and alwayes reserved out of this Act the remainder of the term of years ^{term of any} yet in being upon any such forfeited lease or leases of any of the lands ^{forfeited} before mentioned or intended, which lye within such parts of the Counties of Wicklow, Longford, Leitrim, and Donegal, and the Mile-line ^{lease within} as are by this present Act assigned unto the Officers that served before the Fifth of June, One thousand six hundred forty nine, they and their respective Executors, Administrators and Assigns, paying such Rents and performing such Covenants to the said respective Sees, Reversions, as the several Lessees in such respective leases paid, or ought to have paid in the Year One thousand six hundred forty one, during their respective terms unexpired, excepting also all forfeited leases, that ^{except} exceeded the term of sixty years of any Chantry lands or Houses lying ^{leases} within the security of the said Officers who served his late Majesty before the Fifth of June One thousand six hundred forty nine, and were ^{above 60.} not surrendered nor sentenced to be surrendered to the Church in, or before the years, One thousand six hundred forty, or One thousand six hundred forty one: the remainder of which term unexpired, is to be esteemed as part of the security of the said Officers, they paying and performing during the respective terms yet unexpired, all such Rents and Duties unto the respective Sees or Churches from which those leases were held, as were paid or performed, or ought to be paid and performed in the Year, One thousand six hundred forty one, or Two shillings in the pound at the improved value (to be ascertained as aforesaid) at the Election of the Bishop of the Diocess.

And be it further enacted by the authority aforesaid, that out of the ^{how forfeit-} Lands, Tenements and Hereditaments belonging to any Arch-bishop, ^{ed Fee-} Bishop, Deane, Deane and Chapter or other Ecclesiastical person or ^{farm} persons, or to his or their Successors in their political capacity, which ^{granted by} have been by them or any of them granted or conveyed in fee-farm ^{the church} under the reservation of any Chiefry, Rent, or other Duty or service, ^{to be dispos-} and by this Act are forfeited and vested in his Majesty, his heirs and ^{ed off} Successors; such a proportion of them be allotted and set out for the better Support and Maintenance of such Arch-Bishops and Bishops their and every of their Successors, as are hereafter particularly named, which shall be and are hereby given, assured and confirmed unto them and every of them, their and every of their Successors for ever: that is to say, To the most Reverend Father in God James Lord Arch-Bishop of Dublin and his Successors, Arch-Bishops of Dublin for ever ^{Sugmen-} so much of the said forfeited lands as shall make up the rent of that ^{tations to} Arch- ^{several sees} ^{to how much}

Arch-Bishoprick and the Bishoprick of Glendelough thereunto united of the cleare yearely value of two thousand Pounds Sterl. ober and above the Mansion house & Gardens of St. Sepulchers in & near Dublin, and demesne Lands of the Manor of Tallaght, and the Men-sal Lands thereunto belonging: to the right Reverend Father in God Thomas Lord Arch-Bishop of Cashell and his successors for ever, three hundred Pounds Sterl. per annum; To Thomas Lord Bishop of Kil-dare and his successors for ever, Seven hundred Pounds Sterl. per annum; To William Lord Bishop of Clonsfert and his successors for ever, Two hundred Pounds Sterl. per annum; To Robert Lord Bishop of Fern and Loghlin and his successors for ever, Three hundred pounds Sterl. per annum; To Edward Lord Bishop of Limrick and his successors for ever: Three hundred pounds Sterl. per annum; To Griffith Lord Bishop of Ossory, four hundred pounds Sterl. per annum; To Edward Lord Bishop of Limerick and his successors for ever, Two hundred pounds Sterl. per annum; And to the Provost of Trinity Col-ledge near Dublin out of the forfeited Lands in the Arch-Bishoprick of Dublin, and to his successors for ever the sum of three hundred pounds per annum.

To the Pro-
vost of a tri-
nity Col-
ledge 300l.
per annum

where and
how those
lands shall
be set out

And be it also further Declared and Enacted, That if in every of the said Arch-Bishopricks and Bishopricks there be of the said forfeited Lands sufficient to set out to every such Arch-Bishop and Bishop their respective proportions of Lands within their own Bishopricks, that then it shall be so set forth unto them; and if there be not sufficient therein, that then such Arch-Bishoprick and Bishoprick as is deficient shall have so much Lands more set out and allotted unto it out of the forfeited Lands belonging to the Bishopricks that do superabound, and which is most contiguous and convenient, as will make up such deficiency in proportion to the values aforesaid.

Valuation
of the said
lands by
such way as
the Lord Lie-
utenant shall
direct.

And for the setting out of the said Lands with most conveniency to every Bishoprick as is aforesaid, or provostship, and the valuation of them: Be it also hereby Declared and enacted, That the same shall be performed and done in such way and manner as the Lord Lieutenant, or other Chief Governour or Governours of this Kingdom for the time being shall prescribe and direct, before any part of the said Lands be otherwise disposed of.

The Rent
tenure re-
served to his
Majesty for
the same

And that out of all and every the said Lands so to be set out, the same Rent is and shall be reserved and payable to his Majesty as by this present Act is reserved and payable to him by the adventurers and Souldiers, to be held of his Majesty, his heirs and Successors by the tenure of Frank Almoine or other service and tenures, as the same were held before the making of this Act.

forfeited im-
propriations
or appropri-
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settled upon
the Incum-
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A propor-
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each Cath-
edral Church

And be it also Enacted by the Authority aforesaid, That all and every Improprations or appropriate Tythes forfeited to, or vested in his Majesty, his heirs and Successors by this Act, or otherwise forfeited or Escheated to his Majesty in right of his Crown, if there be no lease or leases thereof in being unforfeited or otherwise, as soon as the unforfeited lease or leases shall be expired or otherwise deter- mined, are hereby given to the Church for ever, and hereby are and for ever shall be settled and established upon the present and future In- cumbents and their Successors, which have or shall have actual cure of Soules in those respective Parishes wherein such Improprati- ons are, and such Improprate Tythes do arise and renew, reserving such a proportion of them to be disposed and settled upon the Vicars and Quire-men of each Cathedral Church, as an Additional provision for

for the increase of their Maintenance, as to the Lord Lieutenant or other Chief Governour or Governours and Council for the time being at any time before the first of January, One thousand six hundred sixty four, shall be thought fit and convenient: They the said Incumbents and their Successors paying to his Majesty, his Heires and Successors for the same such Rents, Reservations and Duties as formerly were paid for the same, with such increase of Rents as by the Lord Lieutenant or other Chief Governour or Governours of this Kingdom for the time being, with six or more of the Council, shall be adjudged reasonable and convenient, within the space of Two years from the passing of this Act, and not after: or from the said expiration of the said unforfeited leases respectively.

Provided, that neither this Act nor any thing therein contained, shall extend to the disposing or altering of any Improprate Rectories or Tythes, or Rents, now or lately enjoyed or possessed by or settled on the Lord Lieutenant, or other Chief Governour or Governours of this Kingdom for the time being, or which at any time hath been or now is enjoyed, possessed or received by the Lords Presidents of Munster and Connaught in the right of their respective places, any thing in this Act to the contrary in any wise notwithstanding.

And that the Lord Chief Justice of his Majesties Court of Kings Bench, the Lord Chief Baron of his Majesties Court of Exchequer, and the Master of the Rolls, or any other of his Majesties Officers of this Kingdom for the time being, shall and may have and receive such port-Corn of the severall Rectories which formerly have been paid and reserved.

And to the end that this present anneration of the said Rectories impropriate unto the severall and respective Churches as aforesaid, may not be too prejudicial unto those persons who by the Rules of this present Act might otherwise expect to be restored thereunto:

It is hereby further Declared and Enacted, That it shall and may be lawfull to and for the Lord Lieutenant, or other Chief Governour or Governours of Ireland, for the time being, to allot, assign and appoint unto all and every person and persons, who by the Rules of this present Act, shall or may be restored thereunto in case no such anneration hath been made, such recompence and satisfaction out of the said respective Improprations, as to him or them shall be thought most fit and reasonable, which Recompence and Satisfaction so as aforesaid, to be assigned, shall be by virtue of this present Act received and enjoyed accordingly.

And whereas by Act of parliament held at Westminster the third of November, in the Year of our Lord God one Thousand Six hundred and forty, Intituled An Act &c. as also by his Majesties Gracious and main-Declaration of the Thirtieth of November Onethousand Six hundred and Sixty, It was carefully provided amongst other things, That care should be had for erecting of Churches, and that maintenance for preaching Ministers should be provided:

In pursuance whereof, Be it Enacted by the Authority aforesaid, That out of every one hundred Acres of forfeited and Escheated Lands vested in his Majesty by this Act, which are not yet actually disposed and distributed, two Acres shall be allowed and set apart for Glebe in every Parish, Barony and County, as shall be most contiguous and convenient for the severall Parish Churches in such places situate, or to be situated; and that out of all forfeited and Escheated Lands, so vested as aforesaid, which are already disposed, distributed, or assigned

rent payable
out of the
said Glebe

Out of the
forfeited
chauntries
set out to
secure the
ancient
rent &c.
referred to
the church
or two shil-
lings per
pound of
improved
value at the
Election
of the Bp:
Hop of the
diocesa

Fee farm
Church
lands forfei-
ted & within
the 20 years
next shall
pay the
Bishop or
Bishop's
successors
of all crown
rents

signed, and by this Act confirmed to the respective possessors, their heirs or Assigns, the said respective possessors, their heirs and Assigns shall pay so much moneys as shall be sufficient to purchase such a number of Acres of the aforesaid measure, and of the same Quality, within the said Parish, as the land out of which the said Acres should have been taken, and assigned for Gleabs at that present, shall be adjudged, the same Rent to be reserved payable to his Majesty, his heirs & Successors, and in the same manner by the respective Incumbents, and their Successors, enjoying the said Lands so to be assigned to them for Gleabs, as the said forfeited or Escheated Lands, out of which they are taken, shall be and are by this Act ordained for to pay.

And Be it further Enacted by the authority aforesaid, That out of all forfeited Chauntries, and all Lands, Tenements and hereditaments belonging unto the said Chauntries, and vested in his Majesty his heirs and successors, by this Act, that are by this present Act, set out assigned or intended to be set out or assigned to any Commissioned Officers, their heirs or assigns, who served his Majesty or his Royal Father of ever blessed Memory, in the late Wars of Ireland, at any time before the fifth of June, One thousand six hundred forty nine, and received no satisfaction for the same, and which paid any rent to the Church in the years One thousand six hundred and forty, and One thousand six hundred forty and one, there shall be paid for ever, by such Officer or person, his heirs or assigns, so enjoying the said Chauntries, or the Lands Tenements or hereditaments to them belonging, the Rent and all other Duties formerly upon or out of them paid or received unto the church, or in lieu and satisfaction thereof, Two Shillings for every pound of improved value, at the Election of the Bishop of the Diocess, which Rents are to be ascertained with all convenient speed by the Chief Governour or Governours of Ireland, for the time being, & six of the Council, or whom they shall appoint, & the Rent so payable by such Officer or person, his heirs or assigns, to the Church, shall be paid to such Rectory or Vicarage that either is or shall be of the Church wherein such Chantry was erected, or otherwise to such Ministers of the said Diocess, as the Bishop thereof shall judge most convenient; and such Rents payable as aforesaid are to be in lieu of all Crown rent and other Challenges and Acknowledgements whatsoever, payable by the said Officers out of such Chauntries or Lands belonging to them.

And Be it Enacted by the Authority aforesaid, that out of all and every the Lands, Tenements and hereditaments set in fee farm by the Bishop of the Diocess wherein such Lands, Tenements and hereditaments are, upon which any Rent was paid unto the Church in the years One thousand Six hundred and forty, or One thousand Six hundred forty One, and which are forfeited and vested by this Act in his Majesty, his heirs and Successors, and that are by this present Act set out, assigned or intended to be set out and assigned unto any Commissioned Officer or Officers, that served his late Majesty before the fifth of June, One thousand Six hundred forty Nine, as aforesaid, his or their heirs or assigns, there shall be paid for ever by such Commissioned Officer or Officers, his or their heirs or Assigns, in lieu of all Crown Rents, and all other Acknowledgements whatsoever, due or payable out of the said Lands, the sum of Two Shillings in the pound, at the improved value to be ascertained as aforesaid, of such Lands and Tenements so possessed and enjoyed by him or them, his or their heirs or assigns, of which they were or shall be respectively holden.

And be it further Enacted by the authority aforesaid, That out of the several

several houses forfeited and vested in his Majesty by this Act being in several walled Towns, Cities, Corporations and Burroughs in this Kingdom, and by this Act are set out, assigned and allotted for the satisfaction of the Commissioned Officers, their heirs and assigns, as aforesaid, that all and every Archbishop, and Bishop, and Minister whose houses in any of their respective Sees or Church-Livings, within the said Town or Suburbs, are walled or not habitable, shall have set out unto them an handsom convenient House Rent free, (other than the Rent payable to his Majesty) which by the said Archbishop, Bishop, his or their Successors, and by the Ministers aforesaid, is hereby payable to his Majesty during the said Term, at and according to the same values that shall be set upon the yearly Rent of such houses set out and given into the possession of such Archbishop or Bishop, his or their Successors, as also to such Ministers as above said for the space of Seven years, to begin from the day such possession is given, such house or houses to be in the most convenient place for the Ministers residence, and every Archbishop or Bishop to have his own choice of the best forfeited house and Garden within the city or Suburbs where his Cathedrall is, during the aforesaid time: And if such Archbishop or Bishop, or other Minister have no house or House-stead belonging to their Sees or rectories, lying within the said Town, that then a convenient house out of the houses aforesaid, or house-stead at the Election of the Bishop or minister, shall be set out to such Archbishop-Bishop or Minister, his or their Successors for ever under the rent reservable to his Majesty out of such house or houses by this Act to be paid to his Majesty by such Archbishop, Bishop or Minister, his or their Successors for ever.

Prohibition made for a house for every Bishop & Ministers in every Corporation

And also be it Ordained & enacted by the authority aforesaid, that the Commissioners to be appointed by his Majesty for the execution of the said Declaration and Instructions and this present Act, shall have full power and authority by Virtue of this Act and of the said Commission, with the greatest indifference that may be to all persons therein concerned, to do and execute all and every Act and Acts, thing and things, as may conduce to the manner of executing all and every Clause or clauses contained in this Act that have express reference to the Settlement of the Interests of the Church, and that all manner of Proceedings & Orders to be made by the said Commissioners in pursuance of their Commission, and according to the said Declaration and Instructions and this present Act, shall by Virtue of this Act be as good and effectually in the Law to all intents, constructions and purposes, as though the same had been particularly and distinctly mentioned, or set down by authority of this present Parliament.

Special prohibition for the interest of the church.

And be it further enacted by the authority aforesaid, That the recompence or satisfaction to be made or given by any of the Protestant Officers who served in the Irish Wars before the fifth day of June, one thousand six hundred forty nine, for or in respect of any Buildings or Reparations of any Messuages or tenements herein before appointed as a security for their respective Arrears, shall not exceed a fifth part of that sum which is the true and real value of such messuages and Tenements, in case the inheritance thereof were to be sold, (messuages new built from the ground onely excepted) nor shall any recompence or satisfaction be made or given for or in respect of any Buildings or reparations which have been begun since the thirtieth day of November one thousand six hundred and sixty.

Improbements to be satisfied by the forty nine security not to exceed a fifth part.

§ § § §

And

And it is hereby further Enacted, That where choice or particular lands or houses, within the said Security, are or shall be appointed for satisfying Arrears of any Officers, the same may be set out to them in all other things according to the Valuation and Rules given by your Majesty for setting the rest of the Security, not otherwise, excepting the houses and lands granted to Sir George Lane Knight.

Reprizes to
be out of the
same Baro-
nies.

And whereas there have been several Baronies reserved to reprize such Inhabitants and natives of Cities and Walled Towns in Ireland as were excluded from their Proprieties in the said Towns or Cities, some of whom may perhaps be restorable by this Act to their ancient proprieties.

Be it therefore enacted by the authority aforesaid, That if any such shall be restored to their ancient proprieties, that then so much of the Lands reserved in those Baronies of equal value, worth and purchase to the lands and houses so to be restored to the said Inhabitants & Natives be & shall be reprized to the said Officers serving before the fifth of June, One thousand six hundred forty nine, for and in lieu of what lands and houses shall be so restored back to the said former Proprietors.

Part of
the 49. se-
curity.

And be it further Enacted by the authority aforesaid, That where any Burroughs, Corporations, or towns being and continuing actually Incorporated in the yeare One thousand Six hundred forty One, and were allotted and set out to Adventurers or Souldiers, not as Burroughs, Corporations or towns Corporate, but measured as part of their land assigned them, the said Burroughs, Corporations and Towns Corporate respectively, are hereby assigned towards the satisfying the Arrears of the said Officers before the fifth of June, One thousand Six hundred forty Nine.

James D.
of Ormond
Earl of In-
chiqueene,
and Sir
Philip Per-
civall's ex-
ecutors
within the
49 security

And be it hereby further Declared and enacted by the authority aforesaid, that James Duke of Ormond, the Earl of Inchiqueene, the Executors of Sir Philip Percivall Knight deceased, late Commissary of the Victuals in Ireland, who are to be satisfied for what Disbursements were made to the other Commissaries & Officers in the Establishment belonging to the said Employment, by the said Sir Philip Percivall, and others, who were General Officers, Staffe-Officers, Officers of the Train, Colonels, and Majors of Dragoons and Lieutenant Colonels of horse, be and are hereby intended, according to the several Commissions for Satisfaction of their said respective Arrears for Service as aforesaid, before the fifth of June One thousand six hundred forty nine, among the rest of the said Officers out of the aforesaid security, and are equally to enjoy all benefits and advantages in all particulars whatsoever, with any other Commission-Officers serving before the fifth of June, One thousand six hundred forty nine, mentioned in this Act according to their respective establishments.

what shall
be allowed
for service
in Ulster

And be it further enacted by the authority aforesaid, That in the Stating of the said Arrears no Officers be allowed for Service in Ulster, but such as were of the Army called The British Army, and within the establishment of the said Army, And that no Company or Troop be allowed but those that were Regimented or Mustered by the Commissary of the Mullers, as a non-Regimented Company or Troop, and actively served during the whole time they pretended unto and received Pay and Quarters with the Rest of the army.

protestant
Officers that
served

And be it hereby further enacted, That James Duke of Ormond, the Earl of Inchiqueene, and such protestant Officers as served faithfully

fully under his Majesties Lord Lieutenant of Ireland at any time between the Fifth of June, One thousand six hundred forty nine, and the Tenth of December, One thousand six hundred and fifty, and never served in any Army since but under his Majesties authority, may have their Arrears stated for that time also, and may be allowed satisfaction for the same as for the rest of their respective Arrears, and that the Debentures to them respectively for those Arrears be for the whole time without distinction.

herwitz the
5th. of June
1649 & the
10th. of De-
cember
1650 may
have ar-
rears stated

And be it also Enacted, That all Adventurers, Souldiers, their Heirs and Assigns, whose Adventures and Lots were set out of the lands of James Duke of Ormond, and who have not been yet reprieved, shall be satisfied out of the remaining forfeited lands in the County of Catherlogh, and also out of the respective moyeties of the ten Counties appointed for satisfaction of Adventurers and Souldiers: And further, That such Adventurers or Souldiers, their Heirs or Assigns, as have been or shall be removed, upon, or by reason of the restitution of the Earl of Roscommon, shall be reprieved in such sort as deficient and other Adventurers are by this Act intended to be satisfied.

souldiers to be
reprieved for
lands of the
Duke of
Ormonds to
be satisfied
out of the
Countie
of Cather-
logh and
moyeties of
the 10
Counties.

And be it Enacted, That the Right Honourable Arthur Earl of Essex, Son and Heir of the Right Honourable Arthur late Lord Capel, who in his life time subscribed and paid in his money as an Adventurer for lands in Ireland, and the Right Honourable Thomas Lord Culpeper, Son and Heir of the Right Honourable John late Lord Culpeper, who also in his life time subscribed and paid in his money as an Adventurer on certain propositions for lands in Ireland, and all and every other person or persons, their Heirs or Assigns, who subscribed and paid in their moneys as Adventurers for lands in Ireland, according to the Act or Acts passed in the Parliament begun and held at Westminster on the Third day of November, in the sixteenth year of the Reign of our late Sovereign Lord Charles the first, of ever blessed memory, and have not yet had Certificates from any five, or more of certain persons late sitting at Grocers-hall, shall upon the producing the Original receipts of the moneys so paid in, or making good and sufficient proof therein before the Commissioners to be appointed for execution of the Declaration and Instructions and this present Act, be enabled and intituled to ask, demand, receive and have his and their respective satisfaction for their moneys by a full and equal proportion of lands out of the moyeties of the ten Counties heretofore set out for Adventurers, or elsewhere, as fully and amply as any other Adventurer can or may justly claim by vertue of any Certificate or Certificates whatsoever, unless he or they have received or accepted satisfaction for the Original moneys so adventured out of Church-lands, Croton-lands, or other Lands, formerly exposed to sale in England.

Clause of
Arthur
Earl of
Essex and
John Lord
Culpeper

And be it further Enacted, that where any Adventurer hath delivered up his Original Receipt, and taken Certificates from any five or more of certain persons late sitting at Grocers-Hall, such Certificates shall be as effectual in the Law, and as available to all intents and purposes, as if the Original Receipt had been produced: and all and every person and persons having and producing such Certificates, shall be and are hereby enabled to have, receive, possess and enjoy so much and no more forfeited lands out of the moyeties of the Ten Counties aforesaid, or elsewhere, and such number of Acres English or Irish measure respectively, as by vertue of the said Certificates shall be certified to be due to him or them respectively.

certificate of
Grocers
Hall as
effectual as
any original
receipt

Provided always, That if it shall be clearly proved before the said

certificates
that con-
tain a grea-
ter quantity
of land then
justly due.

the clause
of the doub-
ling Ordi-
nance.

both to be
satisfied.

the penalty
of false
admeasure-
ment or pre-
sence of
doubling
ordinances

Priviledge
of Parlia-
ment taken
away.

Commissioners, that the said Certificates do contain a greater quantity of Acres than ought to be given and allowed for the Original money paid, that then such Certificates shall not intitle them to any more lands than are justly due for the Original subscription and money paid.

Provided alwayes, That nothing in the Declaration, Instructions, or this present Act, herein before or after mentioned, shall be expounded, construed or taken to give any Right or Title to any Adventurer or Adventurers, who adventured their moneys upon certain Ordinances or pretended Ordinances of Parliament, made in the years One thousand six hundred forty three, and One thousand six hundred forty and seven, commonly called, The Doubling Ordinances, nor to the Heirs or Assigns of any such Adventurer or Adventurers, to have, hold or enjoy any further or other satisfaction out of the forfeited Lands aforesaid, than according to the moneys really and Bona fide paid in and advanced upon the said Ordinances, or pretended Ordinances, which moneys shall be satisfied with the like proportion of forfeited Lands, according to Irish measure, as other Adventurers, their Heirs or Assigns, who advanced their moneys upon the Act passed in the parliament held at Westminster, the first day of November in the Sixteenth year of the Reign of Charles the first, Intituled An Act for the further Advancement of an effectual and speedy Reduction of the Rebels in Ireland, to the obedience of His Majesty and the Crown of England may and ought to have any Certificate, Allotment, Distribution, or other possession thereof, upon the seventh of May, One thousand Six hundred fifty nine, or any other matter or thing to the contrary hereof in any wise notwithstanding.

Nevertheless, It is hereby further Enacted and Declared, That it shall and may be lawful to and for all and every the Adventurers upon the said Ordinances, their Heirs and Assigns, to receive so much of the Over-plus of those Lands which have been allotted to them in Satisfaction of their said Adventures, and shall be sufficient to satisfy and make good any Deficiencies of other Adventures, any Right of Recompence or satisfaction for Incumbrances, intended to be satisfied out of the County of Kildare, or any Arrears of pay before the year One thousand Six hundred forty nine, due by Debentures for the aforesaid British Army, to the said Adventurers, their Heirs or Assigns, or any of them, or purchased, by them, or any of them, and to be satisfied according to the same Rules and Rates with the other Arrears before one thousand Six hundred forty nine.

And be it further Enacted and Declared by the Authority aforesaid That if it shall happen that any Adventurer, or the Heir or Assignee of any Adventurer shall be possessed of any Lands by Concealment, false Admeasurement, or by pretence of the Doubling Ordinances, over and above what will satisfy the principal moneys advanced upon the said Ordinances according to Irish measure, as aforesaid, and shall not have any Deficiencies, Incumbrances, or arrears to place thereupon, or be otherwise intituled to retain the same, That then and in such case the Lands to be cut off or taken away from such person or persons shall as neare as may be, be taken away & cut off in such Parts and Proportions as lie most contiguous, and so as the person or persons to be removed from such Over-plus as aforesaid, may still retain and keep the benefit of his and their respective Improvements.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawfull to and for the Commissioners to be appointed by

his

all
by
his



his Majesty for the Execution of the Declaration and Instructions, and this present Act, to proceed in the execution of their Commission from time to time, against all and every person and persons now having, or in this or in any other Parliament hereafter to be held, claiming to have any privilege, and against all and every the Lands, Tenements and Hereditaments, and other the premises whatsoever, hereby vested in his Majesty, his Heirs and Successors, or charged or chargeable with any yearly rent, or other sums or payments whatsoever to be issuing out of the same, and all Rules, Orders, Judgments and Decrees of the said Commissioners, made in pursuance of, and according to the Declaration and Instructions, and this present Act, and all other Process and Proceedings whatsoever, for the better leavying of any Rents or sums of money charged or chargeable as aforesaid, shall be obeyed and executed forthwith, as fully and amply against all and every person or persons, and all and every their lands, Tenements, Goods and Chattels, as the same ought to have been if no Parliament had been then sitting, and all Officers and Ministers of Justice, and all other persons whatsoever any way aiding and assisting in the Execution thereof, shall be and are hereby indemnified and saved harmless, any Privilege of Parliament, or other immunity or exemption to the contrary hereof in any wise notwithstanding.

Provided alwayes, and be it further Enacted and Ordained, That the several Grants and Letters Patents made unto Sir Maurice Gifford Knight, Lord Chancellor of Ireland, Edward Vernon Esq; Michael Lord Bishop of Cork, and Sir George Lane, and all and singular other the Letters Patents, whereby any of the premises hereby vested have been given or granted by his Majesty unto any other person or persons, Bodies Politick or Corporate under the Great Seal of England, or under the Great Seal of Ireland, before the Thirtieth day of November, One thousand six hundred and sixty, or since the Thirtieth day of November, One thousand six hundred and sixty, by vertue of any Bills, Warrants or other Commands under his Majesties Signet or Sign Manual, dated before the said Thirtieth day of November, One thousand six hundred and sixty, shall be and are hereby ratified and confirmed, and shall be deemed and taken to be good, valid and effectual in the Law, according to the tenor and purport thereof, against the Kings Majesty, his Heirs and Successors, and against all persons, Bodies Politick and Corporate whose rights are not saved by this Act, any thing in this Act contained to the contrary hereof in any wise notwithstanding.

Nevertheless it is hereby Enacted and Declared, That all and singular the Lands and Tenements given and granted, or mentioned to be given and granted in and by the several Letters Patents herein before confirmed, shall be and remain and continue subject to such rents and payments, and shall be held by such tenures and services as any other lands intended to be confirmed by his Majesties gracious Declaration or Instructions, or by this present Act ought to yield, pay, render or pertain.

And in case any of the aforesaid Grants or Demises be made at a less Rent than such a proportion of Acres ought to pay according to this direction, then a Survey being first taken, an addition is to be made to the reserved Rent of so much as will equal it therewith and make it agreeable to this Rule, without any further prejudice to the said Grants or Demises.

Saving to all and every person and persons, Bodies Politick and

Letters pa-
tents gran-
ted to Sir.
Maurice
Gifford
Edward
Vernon
Esq; Michael
Lord Bi-
shop of cork
and Sir
George lane
&c. con.
signed

By what
tenures
Rents and
services the
said lands
are to be
held.

Saving to
all persons
other etc.

Corporate, their Heirs, Executors, Successors and Assigns, other than to the Kings Majesty, his Heirs and Successors, and other than to such person or persons, Bodies Politick and Corporate, who by the Qualifications in this Act expressed, shall not be adjudged innocent, and other than to such person or persons who shall or may claim to the use of, or in trust for them, or any of them, and other than to John Blackwell, his Heirs and Assigns, and those claiming by, from or under him, them, or any of them, any Estate or Interest of, in or to the Manor, Town or Island of Clantarfie, or any part thereof, All such Estate, right, Title and Interest of, in or to the several lands and Tenements in and by the said Letters Patents respectively granted or mentioned to be granted, as they or any of them have, or ought to have the same, as fully and amply to all intents and purposes, as if this Act had never been had nor made.

All Letters
patents
since the
3th of
November
1660 con-
firmed.

And be it further Enacted, That all Letters Patents whatsoever, whereby any of the premises hereby vested, have been given or granted under the Great Seals of England or Ireland respectively, since the Thirtieth of November, One thousand six hundred and sixty, by vertue of any Bills, Warrants, or other Commands, under his Majesties Signet or Sign Manual, dated since the said Thirtieth day of November, One thousand six hundred and sixty, shall be and are hereby ratified and confirmed, and shall be held and enjoyed in like manner, and under the like Rents and Payments, Tenures and Services, and subject to the like Saving of Rights and Interests, as any other Letters Patents herein before mentioned to be confirmed, are subject unto.

Power of
revocation
referred.

Provided nevertheless, That if his Majesty, his Heirs or Successors, or any of them, shall think it fit or expedient for the better promoting of the Ends of the Declaration and Instructions, and this present Act, to revoke, determine, or make void all or any the said Letters Patents granted since the said Thirtieth day of November, by vertue of any Warrants or Commands under his Majesties Signet or Sign Manual, dated likewise since the said Thirtieth of November, and shall under the Great Seal of England or Ireland signify or declare his or their Royal Will and Pleasure, to revoke, determine or make void them or any of them, that then and immediately from and after such signification or declaration of his or their Royal Will and Pleasure, such and so many of the said Letters Patents as shall be therein declared to be void, shall cease and determine and become utterly void and of none effect, and all and singular the Lands and Tenements in the said Letters Patents mentioned, shall be again vested in his Majesty, his Heirs and Successors, for and to the same intent and purpose as the other lands hereby vested are vested and settled, any thing in this Act contained to the contrary notwithstanding.

Lands dis-
posed, the
former pos-
sessors or not
to be charg-
ed with
mean pro-
fits.

Provided alwayes, and it is hereby further Declared and Enacted, That where any lands or Tenements shall be disposed of, or any person or persons shall happen to be restored unto his or their lands or Tenements by vertue of this present Act, or by vertue of any Order, Sentence or Decree made by the Commissioners for the execution thereof, that then and in such case all and every the person and persons formerly seized or possessed of any the Lands or tenements so as aforesaid restored or disposed of, shall be and are hereby discharged and indemnified of and from all Suits, Actions, Prosecutions and Demands whatsoever, touching or concerning the mean Rents, Issues and profits of the same, this Act or any other Law, Matter or thing to the contrary not-

notwithstanding. Saving nevertheless unto all innocent persons, ^{having} their Heirs, Executors and Assigns the Right and Title to the mean profits of their respective Lands and Tenements which have been received since the time of their several and respective Claims put in before the Commissioners heretofore appointed.

Provided always and be it Enacted, that the forfeited Houses, Lands ^{Land ac. in} Tenements and Hereditaments in the Town and County of Galway ^{Galway &} and elsewhere within the province of Connaught, now or late in the ^{Connaught} possession of Sir Thomas Clarges Knight, or his Assigns, shall re- ^{in the pos-} maine and continue in his Majesty, his heirs and Successors, to be ^{session of} disposed of as he or they shall think fit, any thing in this Act contain- ^{Sir Thomas} ed to the contrary notwithstanding. ^{Clarges}

And be it further enacted by the authority aforesaid, That all and every the adventurers, their Heirs and assigns respectively and all and every other person or persons having or claiming to have any Lands or Tenements for and towards satisfaction of moneys adventured for Lands in Ireland, or having or claiming to have as an Original ad- ^{to be dispos-} venturer, or by, from, or under any adventurer his Heirs or assigns, ^{ed by His} any benefit of Settlement, confirmation or Reprizal, or any other ad- ^{Majestie,} vantage whatsoever by vertue of this present Act, shall pay or cause to ^{the adven-} be paid, unto the Kings Majesty One full years value of the profits ^{turers to} arising out of the lands possessed and enjoyed, or to be possessed or en- ^{pay one} joyed, as aforesaid, to be paid at two several Payments within the ^{years value} space of two years, by even & equal payments, the first payment there- ^{first pay-} of to be upon the first day of November, which shall be in the year of our ^{ment Rob:} Lord One thousand six hundred sixty two, and the second day of pay- ^{1662. 2d,} ment to be upon the first day of November, which shall be in the year ^{payment} of our Lord One thousand six hundred sixty and three. ^{Roba 1663.}

And be it also enacted by the authority aforesaid, That all and every ^{Souldiers} the Souldiers, their Heirs and Assigns respectively and all and every ^{to pay one} other person or persons having or claiming to have any Lands or te- ^{half years} nements in Ireland, for and towards satisfaction of any Arrears or ^{value Rob.} Debentures, or having or claiming to have as a Souldier, or by, from ^{1662.} or under any Souldier, his Heirs or assigns, any benefit of Settlement Confirmation or reprizal, or any other advantage whatsoever by ver- tue of this present Act, shall pay or cause to be paid unto the Kings Majesty one full half years value of the profits arising out of the Lands possessed or enjoyed, or to be possessed and enjoyed, as aforesaid, to be paid at one intire payment upon the first day of November, which shall be in the year of our Lord One thousand six hundred sixty two

And if it shall happen that any Adventurer or Souldier, or any o- ^{the penalty} ther person claiming by, from or under them or any of them shall make ^{if not payd} default of payment of all or any part of the said years value or half years value respectively, herein before mentioned to be paid, by the space of Twenty days after any of the said respective days or times wherein the same ought to be paid, that then and immediately from and after such default made all and every the benefit and advantage which by vertue of this present Act doth or may accrue unto the person so making default, his Heirs Executors or Assigns, shall cease, determine, and be utterly voyd and of no effect, and that it shall and may be law- full to proceed against such person and persons, his Heirs, Executors and Assigns, and against his and their Lands and Tenements where- of he or they stand possessed, as fully and amply, as if he or they had not been comprized within this present Act, any thing in this Act herein before contained to the contrary in any wise notwithstanding.

Commis-
sions to issue
for baltua-
tion of the
said lands

And to the end a due care may be had for the assessing and ascertain-
ing the several and respective sums which ought to be paid by the Ad-
venturers and Souldiers and those who claim by, from or under them
or any of them, and likewise for the safe and orderly receipt & collection
thereof: Be it further Enacted by the authority aforesaid, That it shall
and may be lawful to and for his Majesty at any time hereafter, ac-
cording to his good pleasure, to issue out such other Commission and
Commissions, to be directed to such other persons, not being any of
the Commissioners for execution of the Declaration and Instructions
and this present Act, as his Majesty shall think fit, which said other
Commissioners so as aforesaid to be appointed, or so many of them as
in the said Commission or Commissions shall be directed, shall have
power and authority by vertue of this Act, to impanel Juries and
examine Witnesses to administer Oathes to the parties concerned, to
cause the lands to be viewed and surveyed; and by all or any of these
wayes, or by any other lawful way or means whatsoever, to inquire
into and inform themselves of the true yearly value of all and every
the Messuages, Manors, Lands, Tenements and Hereditaments, pos-
sessed by any Adventurer or Souldier, or any other person claiming
by, from or under them any benefit by vertue of this present Act, as the
same were worth in the year One thousand six hundred fifty nine, and
to order and declare the true and full yearly value of the same, which
Declaration and Order of the said Commissioners, or of so many of
them as shall be thereunto Impowred, shall be entred in a Book to
be kept for that purpose, and a Duplicate thereof shall be returned in-
to his Majesties Court of Exchequer, there to remain as a Record, and
shall be and is hereby made a Charge upon all and every the Messua-
ges, Lands and Tenements therein mentioned, described or referred
unto, and shall be sufficient to Intitle his Majesty to have and receive
a years value or a half years value, according to that rate, and in such
manner as is herein before limited; which several and respective sums
so ascertained as aforesaid, shall under the penalties herein before men-
tioned be paid unto the Right Honourable Roger Earl of Oxerry, and
John Lord Viscount Massareene, whom his Majesty hath appointed
to be his Receivers of the same, or to such other persons as his Majesty
shall hereafter appoint for that purpose, who shall accompt for and pay
unto his Majesty in his Court of Exchequer all and every the sums of
money by them received.

Roger Earl
of Oxerry
and John
Lord Vis-
count Ma-
sareene re-
ceivers

And it is hereby further Declared and Enacted, that the Receivers
for the time being shall observe and follow such directions and instru-
ctions as his Majesty hath heretofore given, or at any time hereafter
shall give.

Proviso for
Smiths pi-
ous uses.

Provided nevertheless and be it Enacted, That all Lands, Ten-
ements and Hereditaments, which are or shall be before the first day of
May, One thousand six hundred sixty and two, settled or conveyed by
Erasmus Smith Esq; for any pious or charitable use, shall be and are
hereby exempted and freed from paying the years Rent or full years
value of the profits herein before assessed, imposed or reserved, any thing
in this present Act contained to the contrary notwithstanding.

Proviso for
innocent
Protestants
& Papists
Leasing
Leases
made by
them.

Provided alwayes and it is hereby further Enacted, That where any
Lease or Leases of any Messuages, Manors, Lands or Tenements,
whereof the next or immediate reversion or remainder doth or shall ap-
pertain to any innocent Protestant or Papist, not exceeding the time
and Term of One and thirty years, or Three lives, from the Three
twentieth day of October, One thousand six hundred forty one, or o-
ther





ther sooner time of making thereof, are forfeited to and vested in his Majesty: It shall and may be lawful to and for the Lord Lieutenant, or other Chief Governour or Governours for the time being, by any Deed under his or their Hands and Seals to grant the rest and residue of such lease or leases unto such innocent person or persons as are or shall be Intituled unto the next or immediate reversion or remainder, which Grants shall be sufficient to Intitle the persons to whom they shall be respectively made to enjoy the said lease or leases against us, our Heirs and Successors, and against all and every other person.

And be it further Enacted by the Authority aforesaid, That ^{For the Earl} Don- ^{of Clancarthy}ough Earl of Clancarthy, and Charles Viscount Muskry his Son, ^{the and his son.} and both of them respectively, shall be and are hereby restored unto their Blood and Honour, and shall and may derive their Pedigree and Descent from their and every of their Ancestors, lineal and collateral, and shall be and are hereby restored unto, and shall and may have, hold, possess and enjoy unto them and their Heirs respectively, all and singular the Titles of Honour, Dignities, Honours, Mannors, Castles, Lordships, Lands, Tenements, Reversions, Remainders, and all other Hereditaments, Right, Title and Interest whatsoever in the said Kingdom of Ireland, which be the said Donnough Earl of Clancarthy, or the said Charles Viscount Muskry or either of them, or any other person or persons in Trust for them or either of them, or to their or either of their use or uses, had, held or enjoyed, or of Right ought to have held or enjoyed on the two and twentieth day of October, One thousand six hundred forty one, or at any time since according to, by and under the same Tenure, Rents and Services as the same were then held, and by and under no other Tenure, Rents or Services, this present, or any other Act, Law, Statute, Ordinance, Order, Outlawry, Attainder, Record, Prohibition, Sequestration, Distribution, Allotment, Judgment or Conviction, or any other Cause, Matter or Thing to the contrary notwithstanding: Saving to all and every person or persons, Bodies Politick and Corporate, their Heirs and Successors, other than to his Majesty, his Heirs and Successors, and those who shall or may claim by, from or under his Majesty, his Heirs and Successors, or any of them, all such Right, Title or Interests, which they or either of them had before the passing of this Act.

And be it further Enacted, That all such persons as are or shall be dispossessed of any part of his or their Estates, in order to the said Earl of Clancarthy and Lord Viscount Muskry's restitution, who are re-prizable by the rules of his Majesties Declaration, shall be forthwith reprieved in lands of equal worth and value. Be it further Enacted by the Authority aforesaid, That Sir Connel Farrel Knight, for his faithful and eminent Services and constant adherence to us in the Parts beyond the Seas, be and hereby is restored to and settled in so much of ^{Prebiso for} the Mannors, Towns and Lands of Culickin, Lackin, Kiltassery, ^{the Connel} Lislanisky in the County of Longford, the Towns and Lands of Rosmore ^{Farrel} and Ferry-Glass in the County of Leixtrim, the Towns and Lands of ^{Knight} Loghil, Ederagh, Cragh, Carramoare, Linnen, Derryartwood, Ballyglassan, Mullacorney, alias Mullaghberny, and Larach in the said County of Longford, as were belonging to John Farrel Father to the said Sir Connel, and unto him the said Sir Connel, or either of them, the two and twentieth day of October, One thousand six hundred forty one, or at any time since, to have and to hold unto the said Sir Connel Farrel, his Heirs and Assigns for ever, under such Rents, Tenures and Services as they were formerly held.

A u u u u

And

Coznet
Robert Meredith
and
others to be
reprized.

And it is further Enacted by the Authority aforesaid, That Coznet Robert Meredith, and such others to whom the premisses were set out for Arrears, be forthwith reprized for the same by other forfeited lands of equal value, worth and purchase, by our Commissioners appointed or to be appointed for putting our Gracious Declaration and Instructions in execution, and that the lands so to be set and given for reprizals unto the said Coznet Robert Meredith and the others interested in the lands aforesaid, be by the Authority aforesaid on the setting out thereof, vested and settled in the said Robert Meredith, and the rest of the said persons to be reprized and their Heirs respectively.

Proviso for
Sr. Wm L.
Pen.

And be it further Enacted by the Authority aforesaid, That Sir William Pen shall be forthwith reprized to the full yearly value, worth and purchase of the Lands by him heretofore possess, and according to the value of the said Lands in the Barony of Muskry, whereof he hath been dispossessed in order to the restitution of the Earl of Clancarrthy, at the time of his Surrender, and his Improvements of the same, and for the Arrears of Rents quitted to the said Earl, as also for the Rent that would or might become due, until the said Sir William Pen shall be possess of a full Reprize as aforesaid, out of such forfeited lands and possessions as he now holdeth as Tenant to his Majesty, in the said County of Corke, so far as the same will extend thereunto, and in case of defect or restitution of any of the said lands, the same to be made up out of other forfeited lands of a good and clear Title and unincumbered, with the rest that shall be reprized. And if the Title of any of the lands by which he shall be so reprized, shall be defective, or that the said lands be liable to Incumbrances, that forthwith upon discovery of the same, his Reprize shall be made up fully by other forfeited lands of a clear Title, and free from Incumbrances, and so from time to time, till the said Reprize be compleated as aforesaid.

For Colo-
nel Owen
O'Connell's
Orphans.

And whereas there was formerly intended to be settled on the Orphans of Colonel Owen O'Connell, particularly mentioned in the Declaration, Lands to the value of Two hundred pounds per annum, as a Recompence for the Fathers Services performed in the discovery of the Rebellion, which begun the three and twentieth of October, One thousand six hundred forty one: Be it therefore Enacted by the Authority aforesaid, That the Commissioners to be appointed for the execution of this Act, shall and are hereby impowered to set out for the use of Arthur and Martha O'Connell, Orphans of the said Owen O'Connell, their Heirs and Assigns, out of the Forfeited lands of Murragh, Leeslown, Westperslown, Vernonstown, Artaine, Brenmore, alias New Haven, in the Baronies of Balruddery and Conlocke, or elsewhere in the County of Dublin, an Estate of the value of Two hundred pounds per annum, which estate of two hundred pounds per annum so to be set out for their use, shall be chosen out of such of the aforesaid lands as are forfeited, for the best conveniency of the Orphans under the like Rents and Tenures, and with the like Benefit of Reprizals in case of Restitution, Removal or Incumbrance, as Adventurers are to have by virtue of this present Act: which lands so to be set out as aforesaid, are to be settled upon the said Orphans, their Heirs and Assigns, in such manner and proportions, and according to such rates and values as the Lord Lieutenant, or other Chief Governour or Governours of Ireland for the time being shall direct and appoint.

Provided always, That neither this Act, nor any thing therein contained, shall be construed or extend to prejudice Anne Marchioness

Botwager of Clanrickard, her Right unto any the Lands or Hereditaments settled upon her for her Joynture, but that the said Marchioness of Clanrickard, her Tenants and Assignes, shall forthwith enter into, possess and enjoy the said Lands and Hereditaments, according to her Title unto the same, in the same manner and form as she and they might have done, if this Act had not been had nor made, this Act or any thing therein contained notwithstanding.

Provided alwayes, That neither this Act, nor any thing therein contained, shall be construed to prejudice the Grant made by his Majesties late Father of ever Glorious memory, unto George Lane Esq; in trust for Sir George Hamilton, of the Lands, Tenements and Hereditaments whereof John Draycot of Wotton, in the County of Northampton, was seized, and since deceased, was seized, or some other person or persons in trust for him or to his use, in the year One thousand six hundred forty one, but that the same shall be of such and no other effect, as if this Act had not been made.

Provided also, and be it Enacted by the Authority aforesaid, That Captain William Hamilton of Lough Currine in the County of Tyrone, his Heirs and Assigns, be forthwith satisfied for all such Arrears as upon stating thereof shall appear to rest due unto him, either in his own Right, or as Heir, Executor, Administrator or Assign to others, for his or their respective Services in the War of Ireland, out of the Lands, Tenements or Hereditaments lately belonging or reputed to belong unto Sir Phelim O Neill of Kinard Knight, lying and being in the Barony of Dungannon, in the County of Tyrone, according to the Rates of Ten years purchase free Rent, over and above all Incumbrances and Repzises whatsoever, subject nevertheless to the like rents Payments, Tenures and Services, as either the Lands of Officers who served before June, One thousand six hundred and forty nine, are subject unto within that Province. And if in case the said Lands, Tenements and Hereditaments belonging unto the said Phelim, O Neill, at the rate aforesaid, shall not amount to a full satisfaction of the said Arrear or Arrears, then the remaining part of such Arrear or Arrears, shall be satisfied and set forth to him the said William Hamilton, his Heirs or Assigns out of the Forfeited Lands, Tenements and Hereditaments, lying and being in the Baronies of Ardagh and Canard in the County of Longford, at the like rate and in like manner as aforesaid, any thing in this Act contained to the contrary in any wise notwithstanding.

Provided alwayes, That such forfeited and unresizable lands within and contiguous to the Mile-Line in the County of Clare, that were set out unto Sir Richard Ingoldsby Knight of the Bath, and Sir Henry Ingoldsby Baronet, or either of them, in satisfaction of One thousand five hundred and fifteen pounds eleven shillings and two pence, with their now dwelling Houses and Gardens in Limerick, of which they or either of them, were possessed by themselves or Tenants the Seventh of May, One thousand six hundred fifty nine, in consideration of their great expence by improvement on the premises, be hereby vested, settled and assured in and upon them, their Heirs and Assigns for ever, they or either of them delivering up to the Lord Chancellor of Ireland, who is hereby empowered to receive the same, so many Debentures for Pay due to Officers before One thousand six hundred forty nine, as at the rate of Twelve shilling six pence in the Pound, shall amount unto the full sum of Two thousand pounds in lieu of the said One thousand five hundred and fifteen pounds, the same to be held and enjoy.

enjoyed by such Tenures, Rents and Services, as other Lands and Houses set out for Services in the year One thousand six hundred forty and nine, are or shall be held by this present Act.

And in case they shall be dispossessed of any of the said Houses or Lands by virtue of the Declaration, or any Clause in this Act, That they shall have redressal for the same in such manner as other persons are redressable by this Act, any thing in this Act to the contrary notwithstanding.

For John Farrel Esq;
 Provided also, and be it further Enacted, That out of the several parcels of Land of and in Cloenogrba, Lacklenagh, Clenefore, Capprogge, and Clonderage, with their members and appurtenances in the County of Longford, Lands to the clear yearly value of fifty pounds Per annum, be seiled upon and granted unto John Farrel Esq; your Majesties Servant, and his Heirs, to be held ^{in capite} and by the yearly Rent of Twenty shillings a year, any Grant, Clause, Matter or thing herein contained to the contrary notwithstanding.

For John Bartlet and the Heir of Thomas Bartlet.
 And forasmuch as Captain John Bartlet and Captain Thomas Bartlet have been eminently serviceable in and upon the Coast of Ireland to your Majesty and your Royal Father of Blessed memory: Be it further Enacted by the Authority aforesaid, That the said John Bartlet, and the Heir of the said Thomas Bartlet, their Heirs and Assignes be equally satisfied and paid whatsoever is due unto them, or their Heirs or Assigns, for their or either of their Disbursements in the said Service, before the fifth day of June, One thousand six hundred forty nine, according to such Accompts and stating thereof, as shall be allowed by the Lord Lieutenant and Council of Ireland, out of the Lands, Houses, and other the Security appointed or set apart for Satisfaction of the Commission-Officers that served in our Kingdom of Ireland, before the said fifth day of June, One thousand six hundred forty and nine, and in such manner as they or any of them are appointed to be satisfied and paid in or by his Majesties Gracious Declaration of the Thirtieth of November, One thousand six hundred and sixty, or any Act or Acts made pursuant thereunto, any thing herein before mentioned to the contrary notwithstanding.

For Sir Andrew Aylemer.
 Provided alwayes and be it Enacted, That this Act, or any thing therein contained, shall not extend or be construed to extend to any Manors, Castles, Towns, Villages, Messuages, Lands, Tenements or Hereditaments, which are or were of Sir Andrew Aylemer of Donnada in the County of Kildare, Knight and Baronet, but that he the said Sir Andrew Aylemer, his Heirs and Assigns, shall and may have hold, and enjoy all and every such Manors, Castles, Towns, Villages, Messuages, Lands, Tenements and Hereditaments whereof he was so seized or possessed the Two and Twentieth of October, One thousand six hundred forty one, according to such Right and Title therein, as he or they respectively then had, any thing in this Act contained to the contrary thereof notwithstanding.

For James Earl of Castle-Haven.
 Provided alwayes, and Be it Enacted, by the Authority aforesaid, That this Act, or any thing or matter therein contained, shall not extend to any Lands, Tenements or Hereditaments whereof James Lord Audley Earl of Castle-Haven, was seized, or possessed in this Kingdom, on the Two and twentieth of October, One thousand six hundred forty one, nor to prejudice or avoid any Right, Title or Interest that the said Earl, his Heirs or Assigns had or might have to or in any Lands, Tenements or Hereditaments in this Kingdom, but that the said Earl, his Heirs, Executors or Assigns may be and are hereby restored

restored to all and singular such Lands, Tenements and Hereditaments, whereof he or they were lawfully seized or possessed, and that all and every person or persons, their Heirs, Executors or Assigns, that have had all or any part of such Lands, Tenements or Hereditaments set out unto them, are hereby immediately to be removed, and that such who shall be so removed, and are justly capable of Reprize, be Repriized as others in like cases are to be repriized, any thing in this Act to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That Colonel ^{For Colonel} John Fitz-Patrick of Castle-Town in the Queens County, shall be and ^{John Fitz} is hereby restored in Blood, and enabled to make and derive his Prebegræ from any Ancestor Lineal or Collateral; and shall also be restored unto and vested in the real and actual possession and seizin to him and his Heirs, of all and every the Castles, Mannors, Lands, Tenements and Hereditaments, Reversions and Remainders and Estates whereof the said Colonel John Fitz-Patrick or his father, or any other in trust for them or either of them, or to their use were at any time before the Two and twentieth of October, One thousand six hundred forty one, lawfully seized or possessed, any thing in this Act or otherwise notwithstanding.

And that all and every the persons to be removed from any of the premises, shall be forthwith repriized for the same, according to the merit of his case.

Provided alwayes, That this Act or any thing therein contained, shall ^{For George} not extend to prejudice his Majesties Grant under the Great Seal un- ^{Preben} to Sir George Preben Knight and his Heirs, of the forfeited Mills, Waters and Fishings upon the River of Shannon, or upon any part thereof, and upon the Sea Coast in the Province of Connaught and in the County of Leitrim, but that the same shall be of such and no other force and effect than as if this Act had not been made.

And whereas Thomas Cooper and William Row are Purchasers of certain Lands in the Barony of Denifore in the County of Wick, meath, for which they paid five thousand pounds, or thereabouts, to Edward Carey late of the Middle Temple Esq; who had formerly purchased the same of divers other Adventurers; And the said Thomas ^{Concerning} Cooper and William Row, their Heirs or Assigns, being in possession ^{the estates} of the same, may happily expect according to some general words in ^{of Thomas} his Majesties Declaration, and those his Majesties former Instructions contained, that their Estates should be made good to them as well ^{Cooper and} as to any other Adventurers or their Assigns. ^{William}

Nevertheless his Majesty being well assured that the purchase made ^{Settled up-} by the said Thomas Cooper and William Row, was only in trust for ^{on Thomas} the wife and Children of Archibald Hamilton, then newly executed for ^{Pigot and} Treason in Scotland; and the Monies laid out in that purchase for ^{Bartholo} the wife and Children, were given by Cromwel as a Reward of those ^{Lock Esqrs.} Treasons, hath thought fit to distinguish this Case from the Case of other Adventurers and their Assigns: Be it therefore Enacted by the Authority aforesaid, That the said Thomas Cooper and William Row be removed from the possession of the premises, and all other persons claiming by, from or under them; and that the same be delivered unto Thomas Pigott Esq; Master of Our Court of Wards and Admiries in Ireland, and unto Matthew Lock Esq; To have and to hold to them and their Heirs; subject nevertheless to the payment of the like Rents and Services as the Adventurers for Lands in the Pro-

vince of Leinster are, and granting to them the like Benefit of Repri-
zals in cases of restitution, as the Adventurers, or their assigns should
have had in case they had still enjoyed the same.

Clause a-
bout the
Barony of
Carew.

Provided alwayes, and Be it Enacted by the Authority of this pre-
sent Parliament, That one Grant or Lease made by Randal now Mar-
ques of Antrim, on or about the One and twentieth day of Novem-
ber, in the year of our Lord One thousand six hundred thirty seven,
of the Barony of Carey, the Lordship of Bally Castle, and the Island
of Rachtins, and all his Lands and Hereditaments within the said
Barony, Lordship and Island, or any of them, unto Alexander Mac
Donnell, John Moore, Archibald Stewart, and John Trayleman, for
Ninety nine years, from Michaelmas, One thousand six hundred thir-
ty seven, which Lease was made in Trust for payment of, and Coun-
ter-Security against his Debts, shall be and remain of the like effect
and force in Law, and no other, as the same was before the making of
this Act, any thing in this Act before contained to the contrary not-
withstanding.

transferred
& settled in
Martin
Roel & Tho-
mas Carle-
ton and
John Brad-
borne.

And that the said Estate and term of years of and in the said demi-
sed premises, shall be and is hereby transferred from the aforesaid Les-
sees unto, and vested and settled in Martin Roel Esq; Thon as Carle-
ton Citizen and Merchant of London, and John Bradborne of the Mid-
dle Temple London, Gentleman, who shall hold and enjoy the said
demised premises from henceforth, for and during such interest as
they legally have by the said Lease, upon this Trust reposed in them,
the said Martin Roel, Thomas Carleton and John Bradborne, that
they, their Executors and Administrators shall from time to time dis-
pose and imploy such Monies as they shall raise or receive by or out
of the said Premises for and towards the satisfaction and payment
of all such Debts of the said Marques, as are yet unpaid, and here
intended by the said Lease of Ninety nine years to be secured, and that
all and every person and persons now seized or possessed of any part of
the premises, and reparable by the Rules of the Declaration and In-
structions and this present Act, shall be forthwith replevied for so much
as shall be adjudged from them by virtue of the said Lease.

The Lands
of Robert
Wallop
Esq.

Provided alwayes, and Be it Enacted by the Authority aforesaid,
That it shall and may be lawful to and for the Right Honourable
Thomas Earl of Southampton Lord High Treasurer of England,
Anthony Ashley Lord Ashley, Sir Orlando Bridgman Knight and
Baronet, Lord Chief Justice of his Majesties Court of Common Pleas,
and Sir Henry Vernon, Co Judge, hold and enjoy to them and their
Heirs and assigns all that the Castle, Mannor and Abby of Eniscozby
in the County of Wexford, and all those Mannors, Townships, Lands,
Tenements, Territories and Hereditaments, late parcel of the posses-
sions of Robert Wallop, commonly called or known by the name of
Kilbeck, Clony, Turnesallough, and Effernock, and also all that the
Priory or Rectory and Church Impropriate of Salsker, in the said
County of Wexford, late parcel of the possessions of the said Robert
Wallop, with all Tythes, Oblations, Obventions, and all other Pro-
fits whatsoever thereunto belonging, and all other the Messuages,
Lands, Tenements, Tythes, Rents, Reversions and Hereditaments
whatsoever in the Kingdom of Ireland, granted or mentioned to be
granted unto the said Earl of Southampton, Lord Ashley, Sir Or-
lando Bridgman, and Sir Henry Vernon, and their Heirs, in and by
certain Letters Patents bearing Date the Six and twentieth day of
September, in the Thirteenth year of his Majesties Reign, which said
Act.





Letters Patents shall be and are hereby ratified, confirmed and approved according to the Tenor and Purport thereof, any thing in this present Act contained to the contrary thereof in any wise notwithstanding.

Provided always, and Be it further Enacted by the Authority aforesaid, ^{for Sir} That it shall and may be lawful to and for Sir Richard Ingoldsby Knight of the Bath, to receive and take to his own use the Rents, ^{Richard} Issues and Profits of all and singular the Messuages, Lands and Tenements formerly belonging to Sir Hardress Waller, and now forfeited by the Attainder of the said Sir Hardress Waller for High treason, and also all and singular the Goods and Chattels formerly belonging to the said Sir Hardress Waller, and now forfeited, wheresoever the same shall be found in the Kingdom of Ireland, until the said Sir Richard Ingoldsby shall out of the rents and profits, or by reason of the said Goods and Chattels be fully satisfied and paid the sum of Two thousand pounds with the Interest thereof since the year One thousand six hundred fifty eight, or so much thereof as remains yet unsatisfied, he the said Sir Richard Ingoldsby accompting for, and paying the full Overplus thereof (if any shall be) unto Our Sovereign Lord the King, any thing in this Act before contained to the contrary notwithstanding.

Provided always, and be it further Enacted by the Authority aforesaid, ^{for Sir} That it shall and may be lawful to and for Sir George Lane Knight, his Heirs and Assigns, to have, hold, possess and quietly enjoy ^{George} Lands to the use of him the said Sir George Lane Knight, his Heirs and Assigns, all the Lands, Tenements and Hereditaments wherein the said Sir George Lane had any Estate in possession, reversion or remainder, on the fifteenth day of September, One thousand six hundred and fifty: And also all the Castles, Manors, Lands, Tenements and Hereditaments which he the said Sir George Lane, or any other person or persons in Trust for him the said Sir George Lane, or to his Use hath or have purchased of or from Thomas Dutton Esq; Son and Heir of Sir Thomas Dutton Knight deceased, and also of and from Sir John Porton of Rotherfield in the County of Southampton Baronet, situate, lying and being in the Counties of Longford and Leitrim, containing by estimation Two thousand six hundred Acres of profitable land, be it more or less: And also all other the Messuages, lands, Tenements and Hereditaments whereof John Cook and Philip Hore lately attainted for High Treason, or either of them, or any other person or persons to the use of, or in Trust for them, or either of them was or were seized or possessed on the Day they the said John and Philip respectively committed their several Treasons, or at any time since, and which were given and granted, or mentioned to be given and granted by his Majesties Letters Patents under the Great Seal of Ireland, unto the said Sir George Lane, and his Heirs, according to the purport and meaning of the said Letters Patents, all which said Manors, Castles, lands, Tenements and Hereditaments are to be held and enjoyed by the said Sir George Lane, his heirs and assigns, with like benefit of reprisal in case of restitution, as any Adventurers ought to have: Saving to all and every person and persons, Bodies Politick and Corporate, their Heirs, Executors, Successors and Assigns, other than to the Kings Majesty, his Heirs and Successors, and other than to the said Thomas Dutton, Sir John Porton, John Cook and Philip Hore, or any of them, or the Heirs, Executors, Administrators or Assigns of them, or any of them, and other than such person and persons, their

Heirs, Executors, or Assigns, as do or may claim to the use of or in trust for them or any of them, and other than to such person and persons, their Heirs, Executors and Assigns, who shall not be adjudged innocent according to the Qualifications of this present Act, all such Estate, right, Title and Interest, either in law or equity, as they or any of them had before the making of this Act, any thing in this Act contained to the contrary notwithstanding.

For George
Duke of
Albemarle.

Provided alwayes, and be it Enacted, that the lands, Tenements and Hereditaments now in the possession of George Duke of Albemarle, or his Assigns, which are or shall be confirmed to him, his heirs and assigns, by or in pursuance of this or any other Act of this Parliament, or any other Grant from his Majesty, his Heirs and Successors, shall be, continue and remain to him, his heirs and assigns for ever, to be held in free and common Socage, as of his Majesties Castle of Dublin by Fealty, and the yearly rent of Ten pounds payable at the Two most usual feasts in the Year (viz.) Saint Michael the Archangel and our Lady-day, by Two most equal portions at his Majesties receipt of the Exchequer, and freed and discharged from all other rents, accompts, or other Services to his Majesty, his Heirs or Successors, any thing in this or any other Law, Statute or Ordinance to the contrary in anywise notwithstanding.

For Sir Ar-
thur Forbes

Provided also and be it Enacted, That the Town of Dollingar in the County of Wicklow, with all the Houses, Castles, Tenements, Lands and Commons thereunto belonging and forfeited to his Majesty, be, and they are hereby settled upon Sir Arthur Forbes Baronet and his heirs for ever, according to a Grant thereof passed unto him by Letters Patents under his Majesties Great Seal of Ireland, bearing date the Seven and twentieth day of July in the Thirteenth year of his said Majesties Reign.

arrears of
James
Duke of
Ormond &
Robert
Earl of Lei-
cester to be
satisfied out
of 40 securi-
ties

And whereas some doubt may arise upon the words of that Clause relating to the satisfaction of such Commissioned-Officers, their heirs or assigns, who were in Regiments, Troops or Companies raised in Ireland, or Transported out of England, and served his late Royal Majesty of Glorious memory, or his now Majesty in the Wars in Ireland, at any time before the fifth day of June, One thousand six hundred forty nine, whether provision be thereby made for satisfaction of the Arrears due to James Duke of Ormond, Robert Earl of Leicester, according to their several Commands they bore in the said Kingdom of Ireland: Be it therefore Enacted by the Authority aforesaid, That all and several Arrears due to the said James Duke of Ormond, and Robert Earl of Leicester, or either of them, by or upon all or any their Entertainments or Allowances, according to their Commands aforesaid, be and shall be satisfied out of the lands, Tenements and Hereditaments, and other Securities by this present Act laid out and ascertained for the satisfaction of such Officers unto the said Duke and Earl, their heirs or assigns, according to the same rate, and in the same manner as such Arrears by this present Act are to be satisfied, any Clause or Thing in this Act to the contrary notwithstanding.

Proviso for
Robert
Southwel
Esq.

And for the better satisfaction of Robert Southwel of Kingsale in the Kingdom of Ireland Esq; the sum of Seven hundred pounds by him heretofore furnished for the supply of Our Fleet in the year One thousand six hundred forty eight, being then in the Port of Kingsale aforesaid.

Be it therefore Enacted by the Authority aforesaid, That the forfei-
ted





ted lands late the freehold and inheritance of Phillip Barrioge, lying in the Liberty of Kingsale and Barony of Kinealea in the County of Cork in the said Kingdom of Ireland, situate, lying and being in the several Plow-lands and places herein after mentioned: One Plow-land called Rincorran, one Plow-land called Raghmore, and one plow-land called Breehaus lying in the Liberty of Kingsale, one half of a Plow-land called Toghermehim, half a Plow land called Currentry Keshane, half a Plow-land called Knocknenaffe, half a Plow-land called Ballineclashy, and one quarter of a Plow-land called Ballinbalin, lying and being in the Barony of Kinealea in the County of Cork, all containing by estimation One thousand three hundred seventy and two Acres: as also parcel of the forfeited lands of James Phillip Bont (videl.) One Plow-land called Southwaters land, wherein is the place called Cilly and Bensons Cow, containing about One hundred and sixty Acres, and lying and being in the said Liberty of Kingsale be held and enjoyed by the said Robert Southwel, his heirs and assigns in satisfaction and full recompence of his said Debt, to hold the same to the said Robert Southwel, his heirs and assigns for ever, subject nevertheless to the like rents and services, and with like benefit of reprisal in case of restitution, as any adventurer ought to have, and also with like benefit of reprisal, in case the same be due to any Adventurer or Soldier by vertue of this Act, any thing in this present Act contained to the contrary notwithstanding.

Provided alwayes, and be it Enacted by this present Parliament, and by the Authority of the same, That the Lordships of Templeton, Mooreton and Mouchlogh in County in the Diocess of Ardmagh, the Lordship of Kilsaran, the Rectories of Monasterboies, Desert, Clougagan, and the lands and hereditaments of Terman Feigham Boulter and Downam, or by what other Name or Names they or any of them are known or called, with their and every of their appurtenances, shall be and are hereby settled and vested in William Legge Esq; one of the Grooms of his Majesties Bed-chamber, his executors and assigns, for the term of Ninety nine years to be accounted from the determination of one or more lease or leases heretofore made unto Sir Thomas Plunket Lord of Louth, or to any other person or persons under such yearly rents and services as any Adventurers ought to pay within the province where the premises do ly, unless the rent formerly reserved were greater, in which case the highest rent is to be paid.

And whereas there was let out and assigned unto Colonel Carew Dillon certain lands, Tenements and hereditaments within the County of Connaught and Clare, in satisfaction of a small part of his Arrears due unto him for Service in Ireland, before the fifth of June, One thousand six hundred forty nine, and by the Declaration contained therein unto him.

Be it therefore hereby further provided and enacted by the Authority aforesaid, That the said Carew Dillon, his heirs, executors, administrators and assigns, shall and may receive for the remainder of his Arrears unsatisfied for Service in Ireland, before the fifth of June, One thousand six hundred forty nine, farther and equal satisfaction, with other the Commissioned Officers that shall or are to receive satisfaction for their respective Arrears, due before the said fifth of June, One thousand six hundred forty nine, by vertue of this Act, any thing in this Act contained to the contrary in any wise notwithstanding.

And whereas several clauses, articles, instructions, prohibitions, and other matters herein before and after mentioned, do relate to particu-

saving to all
Innocent
persons so
dies Politick
et.

James
Duke of Or-
mond.

Duke and
Duchess of
Ormond.

Settlement
made by the
duke and
duchess of
Ormond.

lar persons, and concern the disposition and settlement of several lands and Tenements to them, wherein and whereby divers innocent persons, Bodies politick and corporate, their innocent heirs, executors, successors or assigns, may receive great loss and prejudice, if due care be not had for saving their just rights and interests: Be it therefore enacted and declared, That the several and respective estates, riches, titles and interests, belonging to any innocent person or persons, Bodies politick or corporate, or to their innocent heirs, executors, successors or assigns, shall be and is hereby saved unto him or them respectively, any clause, article, instruction, proviso, or other Grant or disposition thereof herein made to the contrary notwithstanding.

Whereas James Duke of Ormond in the time of his being Lieutenant General and General Governour of this his Majesties Kingdom of Ireland, hath from the beginning of the rebellion here in a most eminent manner acted in the suppression thereof, and the reducing the persons involved therein unto their due obedience; and hath upon the most abstracted considerations of honour and conscience, faithfully adhered to his Majesty, and to the Crown of England, without any regard had to his own estate and fortune: And whereas divers estates in taylor for life or years whereof the reversions and remainders in fee, or fee taylor is, or are in the said Duke, or in Elizabeth Dutchess of Ormond his Wife, are by means of the said rebellion, or by virtue of this present Act, or otherwise become forfeited or vested in his Majesty, and divers other Mortgages leases, Statutes, Judgments, and other Securities for moneys have been made, and acknowledged by the said Duke, or some of his Ancestors, unto persons whose Estates are by this present Act or otherwise vested in his Majesty, and his Majesty is thereby intituled unto the same, of which if his Majesty should take advantage, the same should not onely be very prejudicial to the said Duke, in respect of his own Estate, but also in respect of the Estates which he holds and enjoys in the right of his said Dutchess, and would very much hinder the said Duke and Dutchess in the settling of their Estate, in such manner that he may provide for the payment of his debts, and make provision for his Children:

And whereas the said Duke of Ormond, and the Lady Elizabeth Dutchess of Ormond his Wife, have heretofore made one or more conveyance or conveyances, thereby intending to settle their Estates in the said Kingdom of Ireland in their Posterity, and to provide for their younger Children, which conveyance or conveyances is, or are by means of the late troubles in the said Kingdom lost, or otherwise miscarried; and divers changes and alterations relating to their said Estates have happened since the making thereof as well by the Deaths of some of the Children of the said Duke and Dutchess, provided for thereby, and by the Birth of other Children not yet provided for, and divers Debits have been since contracted by the said Duke, which he in honour and justice holds himself obliged to pay, but by reason of the said former conveyances and Settlements, if they should hereafter rise up in proof, or come to light, questions and differences might arise thereupon.

And whereas the said Duke and Dutchess in and by one Indenture Quadripartite, purporting a Deed of Grant or Feoffment, bearing date the Twentieth day of December, One thousand six hundred sixty one, in the Thirtieth year of his Majesties Reign, and made or mentioned to be made between the said Duke and Dutchess of the first part, Hugh Earl of Mount-Alexander, Sir George Lane, and Sir William Flower of the second part, Donogh Earl of Clancarthy, Sir Paul Davys,

Wabys, and George Carr Esq; of the third part, and Thomas Harman, Edward Butler, John Bourden, and Laurence Walsly of the fourth part, have settled and limited, or made mention to settle and limit the honours, castles, manors, lordships, lands, tenements and other hereditaments in that Quadripartite Indenture mentioned, to such uses and in such manner as are therein mentioned.

And whereas his Majesty to shew his gracious acceptance of the service and hazards by him undergone and performed, is willing not only to restore the said Duke and Dutchess to all their Honours, Dignities, Signiories, Manors, Castles, lands, Tenements and Hereditaments, which by the general scope of this Act, and by some construction that might thereupon be made, by reason of some distribution or allotment that hath been made thereof by the late Usurped Powers, might be vested in his Majesty, but also to confer upon the said Duke, and free both his and the Estate of the said Dutchess, from all Estates in Tayl, Mortgages, leases, Statutes, Judgments and other Securities, which are become forfeited, and are vested in his Majesty as aforesaid, and to which the Manors, lands, or Estate in possession, reversion or remainder of the said Duke and Dutchess, or either of them, are or may be subject and lyable: And his Majesty is also willing that the said Duke and Dutchess should settle their Estate in such manner as the same is or are mentioned to be settled by the said Indenture Quadripartite, For all which ends and purposes, Be it enacted by the Authority aforesaid, That the said James Duke of Ormond, James duke of Ormond and the Lady Elizabeth Dutchess of Ormond his Wife, shall be and and Elizabeth Dutchess of Ormond are hereby restored unto, and shall and may have, hold, possess and enjoy all and singular the Titles of honour and dignities which they had, restored unto their Honours dignities Manors, &c. or of right ought to have held the Two and twentieth day of October, in the year of our Lord God, One thousand six hundred forty and one, or at any time since, and shall be also restored unto, and are hereby restored unto, and shall and may have, hold, possess and enjoy all and singular the Seigniories, Manors, Castles, Lordships, Lands, Tenements, Hereditaments, Reversions, Remainders, and all other Hereditaments and Interests whatsoever in the said Kingdom of Ireland, which be the said James Duke of Ormond and the said Lady Elizabeth Dutchess of Ormond his Wife, or either of them, in right of the said Duke, or of the said Dutchess, or otherwise, or any other person or persons in trust for them, or either or any of them had, held or enjoyed, or of right ought to have, hold or enjoy, on the said Two and twentieth day of October, One thousand six hundred forty and one, or at any time since as fully and freely, and for such Estate and Estates as they or any in trust for them then had, held or enjoyed the same, together with all the rents, issues and profits thereof, since the Four and twentieth day of April, in the year of our Lord God One thousand six hundred and sixty, in as large, ample and beneficial manner and form to all intents and purposes, as be the said James Duke of Ormond, and the said Lady Elizabeth Dutchess of Ormond, or either of them, or any other person or persons in trust for him or her, or to his or her use had, held or enjoyed, this present Act, or any other Act, Law, Statute, Ordinance, Order, Attainder, Record, Provision, Sequestration, Distribution, Allotment, Judgment or Conviction, or any clause, matter or thing had, made, transacted or done to the contrary notwithstanding.

And to the end that the said Duke and Dutchess may have, hold, possess and enjoy their Estate or Estates, free from all Estates, Tayl, Mort-

Mortgages, Leases, Statutes and Judgments, and other securities for moneys forfeited to his Majesty, to which their Estate or Estates are or may be lyable.

A further
prohibition for
them

Be it therefore further enacted by the Authority aforesaid, That all Estates Tail for life or lives or for years, and all other Estates whatsoever, whereof the said Duke or Dutchess of Ormond, or any other person in Trust for them or either of them, had the reversion or the remainder the Two and twentieth of October, in the year of our Lord One thousand six hundred forty and one, or at any time since, and which by virtue of this present Act or otherwise are become forfeited to his Majesty: And all Judgments, Statutes, recognizances, and all other Securities for money of any kind or nature whatsoever, which may in any kind impeach, charge or incumber any of the Seigniories, Manors, Castles, lordships, lands, Tenements, reversions, remainders, or other Hereditaments or Interests whatsoever of the said Duke or Dutchess of Ormond, or of any other person or persons in trust for them or either of them in the said Kingdom of Ireland, which by this present Act or otherwise are become forfeited or vested in his Majesty, shall be vested, settled and given, and are hereby vested, settled and given to the said Duke of Ormond, as fully and amply, and in as large, ample, beneficial manner to all intents and purposes, and for such Estate and Estates in Fee-simple or otherwise, as his Majesty by virtue of this present Act, or any clause therein contained, or by any other means had or might have had, held or enjoyed the same, any former or other clause or provision in this present Act, or any other Act, law, Statute, Ordinance, Order, Attainder, record, Provision, Sequestration, Distribution, Allotment, Judgment or Conviction, or any other cause, matter or thing, had, made, transacted or done to the contrary notwithstanding.

And to the end that the Estate and Estates of the said Duke and Dutchess may be settled in such manner as the same by the said Quadripartite Indenture are intended to be settled: Be it therefore further enacted by the Authority aforesaid, That all and every conveyance and conveyances, Settlement and Settlements, Assurance and Assurances whatsoever, at any time heretofore made by the said Duke and Dutchess, or either of them, by themselves or jointly with any other persons trusted on the behalf of them or any of their Children, for the settling of any the Honours, Seigniories, Castles, lordships, Manors, lands, Tenements, or any other of the Hereditaments in the said Quadripartite Indenture, mentioned upon the said Duke or Dutchess, or either of them, or upon their or any of their Children and blood, with or without remainders to any other person or persons whatsoever, shall be revoked, repealed, annulled and made void, and are hereby revoked, repealed, annulled and made void.

And be it further enacted by the Authority aforesaid, That all and singular the Honours, Seigniories, Castles, lordships, Manors, lands, Tenements and Hereditaments, mentioned in the said Indenture Quadripartite, and intended to be granted, settled or conveyed, or mentioned to be thereby granted, settled or conveyed, shall be by the authority of this present Act vested, settled and established, and are hereby vested, settled and established in the several respective persons, and for the several and respective Estate and Estates, Use and Uses and Intents, and under and subject to the same powers, limitations and trusts, as are expressed touching the same, and contained in the said Quadripartite Indenture, as fully as if the said Quadripartite Indenture,

Indenture, as fully as if the said Quadripartite Indenture were executed by Fine, common Recovery, Liberty of Seizin, Attornment of tenants, or by any other way or means whatsoever, requisite or necessary for the doing thereof, and as fully as if the said Quadripartite Indenture had been particularly recited, expressed and enacted in this Act, notwithstanding the said Elizabeth Dutchess of Ormond be a feme covert, And although there be no other execution of the said Quadripartite Indenture than the power and authority of this present Act, any other matter or thing whatsoever to the contrary notwithstanding: Saving to all and every person and persons, Bodies politicke and corporate, their Heir and Successors, other than to his Majesty, his Heirs and Successors, and other than to such whose estates are forfeited to his Majesty, or are by this Act vested in his Majesty, and those who claim by, from or under his Majesty, or them or any of them, all such right, title or interest as they or any of them had before the passing of this Act: and also saving to all and every person and persons, Bodies politicke and corporate, other than the Children of the said Duke or Dutchess, and such others as claim any estate or estates in trust for them or any of their Children, and such as claim estates in remainder, in Tail or Fee-simple by virtue of any conveyance or conveyances at any time heretofore made of the said Honours, castles, Lordships, Manors and Lands, in and by the said Quadripartite Indenture settled or mentioned, or intended to be settled, all such right, title and interest as they or any of them had before at the passing of this Act.

Provided always, and be it further enacted by the Authority aforesaid, That Wentworth Earl of Kildare, his heirs and assigns, shall and may have the preemption, and be preferred unto the purchase of, and enjoy the forfeited interests and estates in and of all such lands, tenements and hereditaments by this present Act vested in his Majesty, his Heirs and Successors, and not restored to the former proprietors as were or are held of or from George late Earl of Kildare, or the said Wentworth Earl of Kildare, or either of them, or of their or any of their Manors, or whereout Chief rent, Service or Duty was or is referred unto the said George Earl of Kildare, Wentworth Earl of Kildare, or either of them, as also of any other lands, tenements or hereditaments surrounded by, or intermixt with the said Earl of Kildares Estate, which he the said Earl shall desire by placing thereon such Adventures, Arrears, Decrees, Incumbrances, or other publick debts or interests as are confirmed and allowed by this present Act, and according to the Tenor thereof are satisfiable thereupon: and that the personal arrears of George late Earl of Kildare, for Service in Ireland, before the fifth day of June, One thousand six hundred forty nine, be satisfied out of such forfeited houses, lands, tenements or hereditaments, and other Security lyable to the satisfaction of such Arrears in the County of Kildare, and elsewhere in the Kingdom of Ireland, lying most convenient unto the Estate of the said Earl of Kildare, which he the said Wentworth Earle of Kildare shall make choice of, all which said satisfactions are to be made at the same rates and proportions, and according to the same rules as are directed by this Act, in cases of the like nature, any thing in this present Act, or any clause therein contained to the contrary in any wise notwithstanding.

Provided always and be it further enacted, That all such Adventurers who are or shall be removed from any of the lands, tenements and hereditaments belonging to Theobald Purcell of Loghroe in the County of Tipperary, lately deceased, shall be only repaid out of

Proviso for
Wentworth
Earl of Kildare

adventurers
removed
from the estate of Tho-
bald Purcell
repaid.

Surplusage Lands within the Security of the Adventurers, any thing in this Act to the contrary thereof in any wise notwithstanding.

Proviso for
Martin Poel
and John
Arthur.

Provided always, That nothing in this Act contained, shall prejudice the right, title, or interest of Martin Poel or John Arthur in any the forfeited houses, tenements or hereditaments in the Town of Wierford: And it is hereby enacted, That such of the said houses, tenements and hereditaments in the said Town of Wierford, as shall be found to be forfeited, and already set out unto the said Martin Poel and John Arthur, shall be and are hereby vested in and settled upon the said Martin Poel and John Arthur, their Heirs and Assigns forever, under such Rents, and according to such respective Rules, as were set down in his Majesties said Declaration and Instructions.

Proviso for
lands be-
longing to
Hospitals
Lepers and
Lazars.

Provided always, That this Act, or any thing therein contained, shall not extend to any person or persons, Bodies politick or corporate, any Manors, Lands, Tenements, Rents, Reversions, Services or Hereditaments which did belong unto any Hospital, Almshouse, Lepers or Lazars, or other charitable use within the said Kingdom of Ireland, on the Two and twentieth day of October, in the year of our Lord One thousand six hundred forty and one, but that all such Manors, Lands, Tenements, Rents, Reversions and Hereditaments, and every of them shall be restored, settled and disposed to the respective Hospitals, Almshouses, Lepers, Lazars, or other charitable use, to which they or any of them did belong, before the said year One thousand six hundred forty and one, and that to be done by the inspection, direction and regulation of the Lord Lieutenant or other Chief Governor and Governours, and Council for the time being, any thing in this Act contained to the contrary thereof in any wise notwithstanding.

Proviso for
Arthur Earl
of Anglesey

Provided also, and be it further enacted, That Arthur now Earl of Anglesey, and Lord Viscount Valentia, his heirs and assigns, in his and their respective Settlements and Satisfactions pursuant to this Act, shall and may enjoy the full benefit and advantage of his Majesties respective Gracious Letters in the behalf of the said Lord Viscount Valentia, under his Majesties Royal Signet, Inrolled in his Majesties high Court of Chancery in Ireland, so far forth as the same are consistent with his Majesties said Declaration, any thing in this Act to the contrary notwithstanding.

For Tho-
mas Luttrell
Esq.

Provided always, and be it enacted by the Authority aforesaid, That this Act or any thing therein contained, shall not extend or be construed to extend to any Manors, Castles, Towns, Villages, Messuages, Houses, lands, Tenements or Hereditaments, whereof Simon Luttrell of Luttrellstown in the County of Dublin Esq; deceased, or Thomas Luttrell Son of the said Simon, or either of them were or was seized in fee, or fee-tail, in use, possession, remainder or reversion, on the Two and twentieth day of October, One thousand six hundred forty and one, or whereof they or either of them, or their or any of their Tenant or Tenants was or were dispossessed, expelled or removed by or under colour of any Actings of the late Usurped Power in the Kingdom of Ireland, but that the said Thomas Luttrell, his heirs and assigns, shall and may from henceforth have, hold and enjoy all and singular the said Manors, Castles, Towns, Villages, Messuages, Houses, lands, Tenements and Hereditaments, with appurtenances, without and before any previous Repairs, and at the ancient rents and

tenures, any thing in this Act contained to the contrary thereof notwithstanding.

Provided always, and be it hereby enacted, That John Bellew of Castletown in the County of Louth Esq; his heirs and assigns, shall have, hold, possesse and enjoy all the houses, lands, tenements, rents, services and hereditaments whatsoever, which did belong in possession, reversion or remainder, to Sir Christopher Bellew late of Castletown aforesaid Knight, Father to the said John, on the Two and twentieth of October, in the year of our Lord God, One thousand six hundred forty and one, in as large and ample manner as the said Sir Christopher, or any other in his right or to his use enjoyed the same; subject nevertheless to such charges and incumbrances as were justly laid upon, or issuing out of the said Estate before the said Two and twentieth day of October, One thousand six hundred forty and one, any clause, proviso, matter or thing in this Act whatsoever to the contrary notwithstanding.

Provided always, That John Morris and Robert Clayton, and their heirs, executors and assignes, shall have, hold and enjoy all and singular the forfeited manors, lands, tenements and hereditaments in the County of Wexford in Ireland, whereof they or one of them stand seized or possessed in trust for Sir John Cutler Knight and Baronet, Sir Edward Heath Knight of the Bath, Thomas Pate Doctor in Divinity, Robert Abbot Gent. Didier Fouchant Gent. and Timothy Stamp Esq; and whereon or on some part whereof Iron-works and other necessary Improvements have been erected and made, and which were formerly purchased or taken in lease in the names of any of the parties above-named, from officers, souldiers or others, to whom the same were set out or allotted in satisfaction of adventures or arrears, or did otherwise of right appertain according to the effect and purport of the severall and respective Deeds of purchase and demise, and with such benefit of reprisal in case of restitution or incumbrance, and with such other advantages, as any adventurer or souldier, their heirs or assignes, within the province of Leinster ought to have, any thing herein contained to the contrary notwithstanding.

Provided always and be it further enacted, That the lands and estate formerly set out in the County of Cork unto Hercules Bunckes Esq; for his arrears due for his service in Ireland, be established on and confirmed unto Edward Adams of London Merchant, his heirs and assigns for ever, according to such tenures, rents and services, and under such limitations and directions for reprisal, as are set down and expressed for any other Officer or souldier in this present Act, any thing herein to the contrary notwithstanding.

And whereas severall of the Inhabitants and Proprietors of the City of Dublin and town of Drogheda, who constantly adhered unto the Royal Authority, untill the withdrawing thereof from the Kingdom of Ireland, in the year One thousand six hundred forty seven, were since expelled from their habitations and estates in the time of the usurped power.

Be it further enacted by the Authority aforesaid, That such of the Inhabitants and Proprietors of the said City and Town as constantly adhered to the Royal Authority untill their respective deaths, or withdrawing of the same Royal Authority from the said Kingdom, in the year One thousand six hundred forty and seven, and did not at any time after adhere to the Papal Clergy, or other the Irish Rebels in opposition to the Royal authority, and the heirs and widows of such of

them as are dead, shall be restored unto & have & enjoy as of their former estates, all & every their & every of their houses, lands, tenements & hereditaments, freedoms & immunities respectively in the said City of Dublin and town of Drogheda, & elsewhere, any thing in this Act, or in any other Act contained to the contrary, or any other matter or proceedings against them or any of them at any time since the said withdrawing of the Royal Authority until His Majesties restitution, notwithstanding.

Power gi-
ven to the
Lord Lieute-
nant during
7. years, to
make rules
for better
planting of
the lands
with Prote-
stants,
which
is to com-
mence May,
1602.

And for the better prevention of all future Rebellions, and to the end our good subjects of Ireland may be likewise secured against all Insurrections or attempts for the time to come, and the said Kingdom be the better planted and improved: Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Lord Lieutenant, or other Chief Governour and Governours and Council of Ireland for the time being, from time to time, and at all times hereafter, during the space of seven years, to be accompted from the first of May One thousand six hundred sixty two, to make and establish such rules, orders and directions, for the better planting with Protestants the lands by this Act vested in his Majesty, and not appointed to be restored to innocent persons.

As also
rules
for regula-
ting cities
& Corpora-
tions &c.

And for the better regulation of Cities, Walled Towns and Corporations, and the electing of Magistrates and officers there, and to inflict such penalties for the breach thereof, as they in their wisdom shall think fit, so as the penalties for breach of the rules of plantation do not extend further than to treble the Quit-rents due for the lands, which shall be planted otherwise than those rules shall direct, the said penalties to continue and be yearly paid to the King, His Heirs and Successors, till the said rules of Plantation be performed, and thenceforth the rent by this Act reserved to be onely payable, and so as the penalties for breach of the rules to be made touching Corporations, do not extend further than to the removal and disfranchisement of such persons as shall be found guilty of the breach thereof, which rules, orders and directions so as aforesaid to be made, shall be as good and effectual in Law to all intents and purposes, as if the same had been established by Authority of this present Parliament, and shall remain, continue and abide in force for such and so long time as in the said rules, orders and directions shall be limited and appointed.

Lands in
Ulster to be
reserved for
reprise.

Provided nevertheless, That no undisposed nor unconfirmed lands, tenements or hereditaments, in the Province of Ulster, which are or shall come unto your Majesties hands, shall be set out in satisfaction of deficient Adventures, but that the same may be wholly reserved and disposed of for reprisal, according to the full value, worth and purchase of the same, unless the forfeited lands in other Provinces shall not be found sufficient to satisfy those deficiencies.

All Lands
ratified shall
stand char-
ged with a
years rent
or a year
and a halves
rent.

And be it further enacted by the Authority aforesaid, That all and singular the Lands and Tenements in Ireland, given and granted by his Majesty under his Great Seal of England or Ireland, and any way ratified, confirmed or approved by this present Act, shall stand charged and be chargeable with a years rent or a year and a halves rent, and such like other Quit-rents and annual payments wherewith any the lands of adventurers or souldiers stand respectively charged, to be raised, levied and payd in like manner as other the like rents and payments by this Act before mentioned are appointed.

Proviso
for rents re-
serv'd.

Provided alwayes, That where any greater rent is reserved upon any such Grants and Letters Patents as aforesaid, than the Quit-rents reserved by this Act would amount unto, that then and in such case the

therent reserved by the said Letters Patents shall be duly answered and paid, and no other Quit-rents; any thing before contained to the contrary notwithstanding: Saving to his Majesty, his heirs and successors, all and singular the estate, right, title and interest of, in and to any honours, manors, castles, lands and tenements, which his Majesty's Royal Father had upon the Two and twentieth day of October One thousand six hundred forty and one, in right of his Crown of Ireland, and which were then, or at any time within ten years before in charge in his Majesty's Court of Exchequer, otherwise than by any Inquisition of lands in Connaught, found and returned in the time of the Earl of Straffords Government, and which have not since been granted or disposed by his Majesty, or his Royal Father, by Letters Patents under the Great Seal of England or Ireland, and other than such rights and titles as in and by a certain Act of Parliament passed in England, Intituled, An Act of Free and General Pardon, Indemnity and Oblivion, are mentioned or intended to be barred or extinguished, any thing in this Act contained to the contrary notwithstanding.

Provided also, and be it further enacted by the Authority aforesaid, That Theobald Earl of Carlingford, & Thomas Lord Viscount Dillon, shall be and are hereby restored unto, and vested in all and singular the messuages, manors, lands, tenements and hereditaments respectively, whercof they, or either of them, or any other person or persons to the use of, or in trust for them or either of them, were seized or possessed upon the two and twentieth day of October, One thousand six hundred forty and one, or at any time since, and that such persons, and their heirs and assigns, to whom any of the lands belonging, to the said Earl of Carlingford and Lord Viscount Dillon or either of them have been set out, and who are by this Act reprimable for the same, be forthwith reprimed out of the said lands that shall come unto his Majesty in the province of Connaught or County of Clare, either by the restoring of any persons to their estates, who were formerly transplanted or otherwise, any thing in this Act contained to the contrary notwithstanding.

Provided nevertheless, and be it further enacted by the Authority aforesaid, That this Act, or any thing therein contained, shall not extend to settle upon or give, or be construed to settle upon, or give unto all or any of the said Adventurers, any benefit, part or portion of such sum or sums of money as have been forfeited by any Adventurer or Adventurers, by reason he or they did not satisfy or pay in their full proportions or sums of money respectively subscribed by them, according to the tenor of the said respective Acts of decimo septimo & decimo Octavo Caroli: But that all such forfeited subscriptions be, and they are hereby vested and settled in your Majesty, your heirs and successors, and be set out and satisfied according unto the respective rates in the said Acts mentioned within the aforesaid security set apart or designed for satisfaction of the Adventurers immediately after the other Adventurers who have duly paid in the respective sums by them subscribed in pursuance of the said Acts, are satisfied, and that the same be granted and disposed of by your Majesty unto such uses, and in such manner as your Majesty shall think fit, any thing in this or any other Act to the contrary notwithstanding.

And be it further enacted, That those adventurers and souldiers, their heirs or assigns, whose adventures or lots were set out of the lands of James Duke of Ormond, and have been since removed from

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the

on grants
by Letters
patents.Saving to
his MajestyProviso for
Theobald
Earl of Car-
lingford
Thomas
Lord Vi-
count Dil-
lon.Reprimals to
be givenForfeitures
pursuant to
the adven-
tures of 17
and 18. car.adventurers
removed
from the
Duke

of James the
first the
royal
confirmed.

the same, and have had by his Majesties Commissioners for executing his Excellent Declaration, other Lands set out, ordered or appointed in the County of Catherlogh, towards their repizal and satisfaction, he and are hereby confirmed in so much of the said Lands in their respective orders named, as shall be equal in value, worth and purchase with those from which they have been removed as aforesaid, and shall hold and enjoy the same to them, their heirs and assigns for ever, which said lands shall be immediately put out of charge in his Majesties Court of Exchequer in Ireland, reserving the chief rents according to his Majesties Declaration, any thing in this present Act contained or otherwise to the contrary thereof in any wise notwithstanding.

Clause for
Erasmus
Smith
& Co.

Whereas lands in the County of Louth have been appointed by the Lords Justices of Ireland to Erasmus Smith Esq; towards satisfaction of his Adventures for lands in Ireland, and the possession thereof ordered accordingly; Be it enacted, that the Lands so ordered and appointed be settled, confirmed and established to and upon him the said Erasmus Smith, his heirs and assigns, with all advantages and privileges allowed by this Act to Adventurers, any thing in this Act contained to the contrary notwithstanding.

Provided nevertheless that if any of the said lands be restored pursuant to the rules of this Act, or otherwise to any person restorable, the said Erasmus Smith, his heirs and assigns shall be first repized for such Lands so restored by other Lands in the said County of Louth, and for want thereof by other forfeited Lands in some other convenient place of equal value, worth and purchase.

Provided that by colour hereof no more lands be settled and confirmed to the said Erasmus Smith, his heirs and assigns, than according to the rates for satisfying of adventurers.

Proviso for
his Royal
Highness
James
Duke of
York.

Provided always, and it is hereby further enacted, That nothing in this Act contained shall extend to best in his Majestie, his heirs or Successors, any the Honours, Castles, messuages, manors, lands, tenements and hereditaments, whereof Oliver Cromwel deceased, Henry Ireton deceased, John Jones deceased, Daniel Artel deceased, Gregory Clement deceased, Isaac Cwer deceased, John Bradshaw deceased, Thomas Andrews deceased, Thomas Hammond deceased, Sir Harbreds Waller, John Hewson, Miles Corbet, Thomas Wogan, Edmond Ludlow, Edward Dendy, John Lisle, William late Lord Mounson, Cornelius Holland, Henry Smith, Owen Rolo, Edmond Harbey, Nicholas Love, Edward Whaley, Thomas Hyde deceased, William Say, Valentine Walton, John Berkstead, Sir Michael Liveley, John Okey, William Gouffe, Thomas Challinor, William Catwey, John Dierwel, Andrew Braughton, Thomas Harrison, Adrian Scroop, John Carew, Thomas Scot, Hugh Peters, Francis Hacker, Isaac Pennington, Henry Martin, Gilbert Millington, Robert Cichburn, Robert Lilborn, John Downs, Vincent Potter, Augustine Garland, George Fleetwood, Simon Mayn, James Temple, Peter Temple, Thomas Wait, Sir John Danvers, John Blackston, Sir William Constable, Richard Dean, Francis Allyn deceased, Peregrine Pelham, John Aldred, alias Alured, Humphrey Edwards, John Wynn, Anthony Stapely, Thomas Horton, John Frey, James Challinor, Sir Henry Mildmay, Sir James Harrington, John Phelps, or any of them were at any time heretofore seized or possessed in their own right, or any other in trust for them, or to their use, or which at any time heretofore were given and granted, allotted, assign-

ed, distributed, disposed or conveyed to them or any of them, or any other in trust for them or any of them, or to any other person or persons claiming by, from or under them or any of them in satisfaction of any adventures or arrears due unto them or any of them, or for any other recompence or reward whatsoever, but the same and every of them other than the Lands and Tenements given and granted unto Michael Lord Bishop of Cork, and other than the Lands and Tenements hereafter disposed to Francis Lord Angier, shall be and are hereby vested and settled in and upon his Royal Highness James Duke of York and Albain, Earl of Ulster, &c. to have and hold to his said Highness, his Heirs and assigns, freed, exempted and discharged, so long as the same remain in the possession of his Highness, or his Heirs, of and to from any new or increased rent, services and payments, in and by this Act assessed, imposed and reserved, but with like benefit and advantage of reprisal in case of restitution as any adventurer or souldier by vertue of this present Act may or ought to have, and also with further and other benefit of Reprisal for so much of the premises as by vertue of the Declaration and Instructions of this present Act shall be held or enjoyed by any adventurer or souldier: And if his Royal Highness, or his Heirs shall grant or alien all or any the Lands or premises herein before mentioned, otherwise than by Lease or Leases for lives or years, upon which the full moiety of the improved Rent shall be reserved, then so much as shall be aliened or granted, shall be subject to and charged with such tenures, rents, services, and other payments as other lands by this Act ought to be subject to and charged with.

Except land granted to Michael Lord Bishop of Cork Francis Lord Angier.

Reprisal in case of restitution.

Provided, and it is enacted by the Authority aforesaid, That all such forfeited Lands, Tenements and hereditaments, with their appurtenances, and all and every the Estate, Right, Title and interest therein, which were heretofore set out in the said Kingdom of Ireland to John Lord Kingston Baron of Kingston, or to Sir Robert King his late Father deceased, or which were purchased by them or either of them from any adventurers, souldiers, transplanted or transplantable persons, their heires and assigns, and set out unto or possessed by them or any of them on the seventh day of May, One thousand six hundred fifty nine, shall be and are hereby ratified and confirmed unto the said Lord Kingston his heires and assigns, liable to such rules and directions as are hereby prescribed for restoring of Lands to former proprietors.

Provido for John Lord Baron of Kingston.

Provided and it is declared, That such part of the Lands aforesaid as were set out upon the Ordinance, commonly called The Doubling Ordinance, over and above the money paid thereon, are not intended to be hereby confirmed to the said John Lord Kingston and his heires, without delivering up or discharging such receipts or certificates of deficient adventurers, or such part of his own, his late Fathers arrears or other Debentures for service in Ireland before the fifth day of June, One thousand six hundred forty and nine, provided for by this Act, as shall amount unto the value or sum, for which such proportion of Lands were or are to be set out to adventurers in the Province of Leinster, but that upon delivering up or discharging such certificates, receipts or Debentures amounting to such sum or value, the said Lands and every part thereof are hereby ratified and confirmed as aforesaid, and shall stand, remain, and be unto the said Lord Kingston, his heires and assigns for ever.

And be it further enacted by the Authority aforesaid, That for all such lands and tenements claimed by the said Lord Kingston set out to

or possessed by adventurers, souldiers, transplanted or transplantable persons, their heirs or assigns on the said seventh day of May, One thousand six hundred fifty and nine, whereof George Lord Baron of Strabane, Sir Henry Talbot, Sir William Dungan, and Thomas Harman Esq; or any other former or other proprietor is, are or shall be possessed or restored unto: be the said Lord Kingston, his heirs and assigns, shall be speedily and effectually repized for the same out of such lands and hereditaments of the like yearly rents and profits in the Counties of Dublin, Cork and Kildare, or some of them, as the said lands so possessed, restored or to be restored are now worth to be letten, any thing in this Act contained to the contrary notwithstanding.

for Francis
Lord Angier

Provided alwayes, and be it further enacted by the Authority aforesaid, that nothing in this Act contained shall extend to vest in his Majesty, his heirs and successors, the forfeited lands, tenements and hereditaments in the Counties of Westmeath and the Kings County, whereof Sir Hardress Waller, Isaac Cwer, or any of them, or any other person or persons in trust for them or any of them, or claiming by, from or under them, or any of them, were on the seventh of May, One thousand six hundred fifty nine, seized or possessed, but that the same, and every of them shall be and are hereby vested in Francis Lord Angier, and his heirs, subject to the like tenures, rents, services and payments, as any adventurers within that Province, wherein the forfeited lands hereby granted do lie, are subject unto, and with like benefit of repizal, in case of restitution or incumbrance, as any adventurer ought to have, any thing herein contained to the contrary in any wise notwithstanding.

John Lord
Kingston
and others
to be satisfied
their
arrears before
the 5th
of June
1649.

Provided also, and be it enacted, that all and every sum and sums of money due unto John Lord Kingston, Richard Lord Baron of Colony, Sir Theophilus Jones, Sir Oliver St. George, Sir John Cole, and Chidley Coote Esq; for their respective arrears for service in Ireland before the fifth of June, One thousand six hundred forty nine, shall be stated and satisfied unto them, their executors or assigns respectively, out of the security in this Act appointed for satisfying arrears before One thousand six hundred forty nine, in the same manner and by the same rules and rates, as before in this Act is provided for such as have arrears due to them before 1649. and received no satisfaction for any arrears since that time, although the said persons or any of them have received lands for arrears since the said fifth of June 1649. any thing in this Act contained to the contrary notwithstanding.

Also for
Sir Paul
Davis
Knight.

Provided always, and it is hereby enacted, that Sir Paul Davis knight shall have, hold and enjoy to him, and his heirs and assigns for ever, all and every the towns and lands of Londonstown formerly belonging to William Fitzgerrald attainted, Barretstown, formerly belonging to Christopher Cusack attainted, Johnstown formerly belonging to James Flatsburry attainted, & Palmerstown formerly belonging to the said James Flatsburry all, situate, lying and being in the County of Kildare, with their and every of their members and appurtenances, whereof the said late proprietors respectively were seized, or any other persons were seized for their uses, or in trust for them respectively, on the dayes of their respective attainitures, or at any time since the said Sir Paul Davys, his heirs and assigns, yielding and paying therefore yearly to your Majesty, your heirs and Successors, such and the like rents as are appointed to be paid by adventurers for lands in the Province of Leinster, by the Act made in the Parliament begun at Westminster on the third day of November, 1640, intituled, an Act for the speedy & effectual reducing of the Rebels in his Majesties kingdome of Ireland to their

due

due Obedience to his Majesty and the Crown of England, unless the rents formerly reserved on the premises to the Crown on the Three and twentieth of October, One thousand six hundred forty one, did exceed that rent, in which case, the rent to be the same it was on the Three and twentieth of October, One thousand six hundred forty one, and the premises to be held of your Majesty, your Heirs and Successors, by the same tenure, which by the said Act is appointed for adventurers for lands in Ireland, any thing in this Act contained to the contrary, or any other Act, matter or thing whatsoever to the contrary notwithstanding.

Whereas several Officers in Munster, who engaged themselves in his Majesties Army in the Kingdom of Ireland, under the command of his Excellency the Lord Duke of Ormond in the year One thousand six hundred forty eight, were afterwards instrumental in the betraying of several considerable Towns and Garrisons into the Usurpers hands, or his Forces:

Be it therefore enacted by the Authority aforesaid, That all such Traitors and their actual Assistants, the heirs, executors, administrators or assigns of them or any of them, shall be wholly excluded from any benefit from this Act of Parliament, as to their enjoyment of any lands for their arrears before June, One thousand six hundred forty nine, or any part of them, other than such who within Twenty four moneths after the date of this Act shall make it appear to the Lord Lieutenant of that Kingdom, or the Chief Governour or Governours thereof, with six of the Council, that they made some repair for their former faults, by their timely and seasonable appearance for our restitution in the year One thousand six hundred and sixty.

And be it further enacted by the Authority aforesaid, That the Commissioners for execution of this present Act, shall forthwith set out, or cause to be set so much of the forfeited lands as do amount unto the clear yearly value of Three hundred pounds per annum, and are nearest adjacent and lie most contiguous unto the Fort of Duncannon, which lands so as aforesaid to be set out, shall be reserved unto his Majesty, his Heirs and Successors, to the intent that the rents, issues and profits thereof may for ever be employed for and towards the better support and maintenance of the Fort aforesaid, and all and every the adventurers and souldiers and other reparable persons, to whom any of the said lands so as aforesaid to be set out, have been heretofore allotted or disposed, shall be forthwith reprieved out of some other forfeited lands of an estate of equal value, worth and purchase, any thing herein before contained to the contrary notwithstanding.

Provided always, and be it further enacted, That all and singular the forfeited messuages, manors, lands, tenements and hereditaments, whereof Henry Jones Lord Bishop of Meath, or any other person or persons in trust for him, or to his use were seized or possessed on or before the Nine and twentieth day of May, One thousand six hundred and sixty, shall be and are hereby vested and settled in, and confirmed unto the said Henry Lord Bishop of Meath in his natural capacity, and shall be held and enjoyed by him the said Henry Lord Bishop of Meath and his heirs subject to the like rents, tenures and payments as any adventurer for lands in the Province of Leinster ought to be, and in case any of the forfeited lands hereby vested in the said Lord Bishop of Meath, did heretofore belong to any restorable person other than innocent persons, that then and in such case no restitution shall be made until the said Henry Lord Bishop of Meath be first reprieved

several Officers in Munster under the Command of the Duke of Ormond to be satisfied the arrears before 5th June 1649.

Clause for the Fort of Duncannon.

Proviso for Henry Lord Bishop of Meath.

with an estate in value, worth and purchase, equal to that which ought to be restored, any thing in this Act to the contrary notwithstanding.

for the Col-
lege of
Dublin,

Provided always, and be it enacted and declared by the Authority aforesaid, That nothing in this Act contained shall extend to the disposal of any lands, tenements or hereditaments, whereof the Provost, Fellows and Scholars of the holy and individed Trinity near Dublin of the Foundation of Queen Elizabeth, were seized in fee in the year One thousand six hundred forty one, and are now in their actual possession, but that the said lands, tenements and hereditaments, together with the right, title and interest of all and every person and persons to any of the said lands, tenements and hereditaments, which they held by virtue of any Grant, Lease or Fee-farm, from the Provost, Fellows and Scholars of the said Colledge, and which is forfeited to his Majesty by the late Rebellion, shall remain and are hereby granted and confirmed to the said Provost, Fellows and Scholars and their Successors for ever, paying for the same such rents as adventurers ought to pay for lands within the Provinces where the lands hereby granted and confirmed lye, any thing in this Act contained to the contrary thereof in any wise notwithstanding.

Claus for
the fees
of the speak-
er, officers
& attend-
ants to the
houses of
Parliament

And whereas there are fees claimed to be due to Sir Audley Mervyn Knight, Speaker of the House of Commons, Sir George Lane Knight, Clerk of the House of Lords, Philip Fernly Esq; Clerk of the House of Commons, and other Attendants on either of the said Houses out of every Bill past in Parliament, wherein or whereby any person or persons, Bodies Politick or Corporate receive any Grant of, or restitution to any forfeited lands, tenements or hereditaments to them or any of them, their heirs and successors, being particularly named or included in the said Bill.

Be it therefore enacted by the Authority aforesaid, That the ascertaining the respective fees payable by the said persons, Bodies Politick and Corporate, not particularly named by this Act, though included therein, both as to the sum and sums, and the way, time, manner and paying thereof, be, and is hereby left to the consideration of the Lord Lieutenant, or other Chief Governour or Governours and Council of Ireland for the time being, after advice therein had with both Houses of Parliament there, and what order or orders shall be by them after such advice resolved upon and recorded in the High Court of Chancery, shall be as good, effectual and binding to all intents and purposes for the demanding, levying and payment of the said fees to the persons aforesaid, their and every of their executors and assigns, as if the said order or orders were particularly and distinctly set down and expressed in this present Act.

Provisto for
Sir Timo-
thy Terril
Knight,

Provided also, that any thing in this Act contained shall not avoid the Grant of a remainder of a term of years in certain lands, tenements and hereditaments, lying in the Parish of Finglasse and County of Dublin, forfeited by William Hewlet, and passed by Letters Patents under the Great Seal of this Kingdom to Sir Timothy Terril Knight, but the same are hereby confirmed for and during the term aforesaid to the said Sir Timothy Terril, his executors, administrators and assigns.

for Richard
Earl of
Coxhe

Provided also, and be it further enacted by the Authority aforesaid, That neither this Act nor the Act enabling Ecclesiastical persons to make leases for sixty years for the encouragement of Planters, nor any matter or thing contained in either of them, shall prejudice the right.

right, title or interest of Richard Earl of Cork, or of Michael Lord Bishop of Cork in or unto the town and lands of Ballymulcask in the County of Cork, but that the same may continue and be in such state and no other, as if the said Acts or either of them had never been made, any thing in this Act or the said other Act notwithstanding.

Provided always, and be it further enacted by the Authority aforesaid, that Randal now Marquess of Antrim, shall be restored to all and singular the manors, lands, tenements and hereditaments, whereof he or any other in trust for him stood seized or possessed upon the Thre and twentieth day of October, in the year of our Lord, One thousand six hundred forty one, in such manner and form, and according to such order and method, and no other, as the Lord Viscount Petterbil and the Lord Viscount Galmoy, and the rest with them in the Declaration herein before mentioned ought by virtue of the said Declaration and this present Act to be restored to their respective Estates, any thing herein contained to the contrary in any wise notwithstanding.

Provided also, and be it further enacted by the Authority aforesaid, That the sum of Eight thousand pounds sterling shall be fully satisfied and paid at such times and in such way as your Majesty or your Successors shall appoint or direct unto Sir James Shean Knight, his executors, administrators or assigns, for and in recompence of his Estate in the half Barony of Iris, which by this Act is absolutely vested and continued in your Majesty, your Heirs and Successors, and that in the mean time until the same be fully satisfied, Arthur Earl of Anglesey your Majesties Vice-Treasurer and Receiver General, or any other Vice-Treasurer or Receiver General of this Kingdom that hereafter shall be, and is hereby authorized and required from time to time out of the accruing rents, issues, fines and profits which shall come into the Receipt of your Majesties Exchequer, for or by reason of the licencing or permitting the sale of Wine, Aquavite or Strongwaters, or any of them by retail in this Kingdom, pay or cause to be paid without further delay, Order or Directions, unto the said Sir James Shean, his executors, administrators or assigns, shall yearly every Michaelmas and Easter the currant interest of the said Eight thousand pounds, or so much thereof as shall remain unsatisfied, the first payment of the said interest money to be made at Michaelmas, One thousand six hundred sixty two, and that the said Sir James Shean, his heirs and assigns shall have and enjoy the full benefit and advantage and effect of your Majesties Gracious Letters under your Royal Signet, bearing date the Twenty fifth day of March, One thousand six hundred sixty two, in the fourteenth year of your Reign, for granting of several houses and lands unto him, his heirs and assigns, in satisfaction of adventurers and other interests, according to the rules of the said Declaration, so far forth as the Lord Lieutenant or other Chief Governour or Governours of this Kingdom, for the time being, shall judge the several matters and things therein contained to be consistent with your Majesties said Declaration, excepting onely what relates unto his said Estate in Iris, any clause, proviso, sentence, matter or thing whatsoever in this Act contained in any wise notwithstanding.

Provided also, and be it further enacted by the Authority aforesaid, That the Lord Lieutenant or other Chief Governour or Governours of this Kingdom for the time being, by and with the consent of the Privy Council, shall have full power and authority out of the lands, tenements and hereditaments vested by this Act in his Majesty, and

and Michael
Lord Bishop
of Cork.

for Randall
Lord Mar-
quess of An-
trim.

for Sir
James
Shean.

One thou-
sand pound
per annum
to be settled
for found-
ing of Ho-
spitals and
work houses

which shall be settled or restored, by virtue thereof to settle such a yearly allowance for ever, not exceeding One thousand pounds per annum, for the founding, erecting and endowing of Hospitals and Work-houses for soldiers maimed or wounded in the service of Ireland, and in case of deficiency of such persons, than towards other publick and pious uses, in such manner and in such places as they shall think most equal and fit.

Provided for
Papists that
are restora-
ble by spe-
cial grace.

Provided also, That whereas such Papists as by special grace are restorable unto their Estates by this Act ought in some measure to manifest their gratitude unto your Majesty for the happiness and advantage which they enjoy by your Majesties wonderful Restauration, and thereby the better enable your Majesty to restore or satisfie divers persons who have suffered much in your Majesties service, and for want of repzials may not be restored to their Estates;

Lord Lieu-
tenant and
Council to
charge e-
states of
such Papists
in case re-
pizals fall
short.

Be it enacted by the Authority aforesaid, that it shall and may be lawful for the Lord Lieutenant or other Chief Governour or Governours and Council for the time being to charge for the use of your Majesty the Estates of the persons so restorable not exceeding the proportions following, viz. All Papists who took no lands in Connaught, one half years value, and such as took lands in Connaught, one years value of the Estates unto which they are or shall respectively be restored, what they shall be so charged with to be paid in the same manner and proportion as the respective sums payable by the adventurers or soldiers are made payable by this Act, and that the same shall be paid unto the Receipt of his Majesties Exchequer to be disposed of for satisfying the said unrestored persons, or for the buying and purchasing of repzials, adventures, arrears, incumbrances, or other allowed interest, confirmed by this Act; from such person or persons as shall be willing to sell their respective rights thereunto, whereby the lands designed for repzials may the better hold out to answer the ends of your Majesties said Declaration, any thing in this Act notwithstanding.

Provided also, and be it further enacted by the Authority aforesaid, That in case repzials shall fall short, whereby persons mentioned and appointed in the said Declaration, and this Act to be restored, without being put to any further proof, cannot or shall not obtain or receive the full benefit intended them, then it shall and may be lawful for the Lord Lieutenant, or other Chief Governour or Governours, and Council for the time being, and they are hereby authorized to order, appoint and make distribution amongst them, of the satisfaction or restitution allotted them in such proportions and method as they shall judge most equal and just, consideration being had of the conditions and preferences of the several persons concerned; nevertheless according to the rules and directions of the Declaration concerning them, in all other points, and particularly in that of previous repzile or repzials, which order and appointment of theirs shall be final, and observed by the Commissioners appointed or to be appointed for the execution of this Act; any thing therein contained to the contrary notwithstanding.

Proviso for
Sir Philip
Perciball
Thomas
Earl of
Stratford
Sir George
Katharine

Provided always, and be it hereby further enacted, That all such castles, manors, lands, tenements and hereditaments in the County of Sligo, as have been purchased by Sir Philip Perciball Knight deceased, or any other person or persons in trust for Thomas late Earl of Stratford, and Sir George Katharine Knight deceased, or either of them, and their heirs, or the heirs of either of them, and whereof they

or either of them, or any other person or persons to their or either of their uses, or in trust for them, or either of them, were seized or possessed at any time before the thre and twentieth day of October, One thousand Six hundred forty one, shall be and are hereby vested in his Majesty, his heirs and successors, and so remain and continue, until the Lord Lieutenant or other Chief Governour or Governours of Ireland for the time being, and the Council there, shall upon hearing of the said Purchasers, their Heirs or Assigns, and the Heirs and Assigns of the said late Earl of Strafford, Sir George Ratcliffe, and also upon hearing of the persons, their heirs or Assigns, who sold the premises, or any part thereof, declare and adjudge whether the same do belong to Sir Phillip Percival, his heirs or assigns in trust for William Earl of Strafford, and Thomas Ratcliffe, or either of them, or to any other person or persons, his or their heirs or assigns of whom the same are pretended to be purchased, as aforesaid, which Declaration and Judgment shall be as good and effectual in law, to all Intents and Purposes on behalf of the person or persons for whom the same shall be made, as if the same had been particularly Enacted by these presents, any Distribution or Allotment thereof during the late times of Usurpation to any Adventurer or Souldier, any defect of Conveyance or Assurance to the said Sir Phillip Percival, or other the Trustees of the late Earl of Strafford, and Sir George Ratcliffe, any Right or Title in his Majesty, by virtue of the Office or Inquisition in the time of his Royal Father for vesting Land in the Province of Connaught, or any other matter or thing herein contained to the contrary notwithstanding.

Provided alwayes, and be it Enacted by the Authority aforesaid, that Maurice Keating Esq; son and heir of Edmond Keating of Norraughmore in the County of Kildare, Esq; shall and may have, hold and enjoy to him and his heirs, all and every the Mannors, Towns, Villages, Lands, Tenements and Hereditaments in the Kings County, purchased by or in trust for his said Father, before the thre and twentieth day of October, one thousand Six hundred forty one, from John Carrol Esq; if the Lord Lieutenant or other Chief Governour or Governours of Ireland and Council, thereupon hearing the parties concerned, shall think fit to adjudge the same accordingly, any thing in this Act, or in any other Act contained to the contrary thereof notwithstanding.

For Maurice
Keating
Esq;

Provided alwayes, and be it further Enacted, That Theobald Lord Viscount Taaff Earl of Carlingford, shall have, hold, possess and enjoy to him and his Heirs, all those the Lands, Mannors, Tenements and Hereditaments in the County of Louth, whereof the said Theobald upon the first day of August, in the year one thousand six hundred fifty one was possessed, or were let out, assigned or granted to the said Theobald by way of Custodiam, or otherwise, in order to a further Settlement thereof, to and on the said Theobald and his heirs, for and in lieu of the Estate of Colony in the County of Sligo; and also that the said Theobald shall have and enjoy to him and his heirs, the Mannors, Lands, Tenements and Hereditaments whereof Christopher Taaff of Bragganstown, & Theophilus Taaff of Cookestown, or either of them, or any of their Ancestors, or any other person or persons to their use, or in trust for them, or any of them, stood seized or possessed upon the two and twentieth day of October, One thousand six hundred forty one; all and singular which premises the said Theobald Lord Viscount Taaff Earl of Carlingford, shall hold to him and his heirs at

For Theobald
Earl of
Carlingford.

and under the same or like Tenures, Rents and Services as the Officers and Souldiers by this Act are to hold, any thing in this Act contained to the contrary notwithstanding.

For Richard
Earl of
Clanrickard

And whereas your Majesty by your Letters Patents under your Great Seal of England, bearing date the eighth day of April in the year of our Lord One thousand six hundred sixty two, and in the fourteenth year of your Majesties Reign, was graciously pleased to grant to Richard Earl of Clanrickard, and his Heirs, the Honours, Castles, Lordships, Signiories, Abbeyes, Abby-lands, and Improprate Tythes, Lands, Tenements and other Hereditaments, to the uses, and in such manner as is therein mentioned.

Provided therefore That this Act, or any thing therein contained; shall not extend to, or be construed to extend to vest in your Majesty, your Heirs or Successors, any Honours, Castles, Mannors, Lordships, Signiories, Abbeyes, Abbey-Lands, Improprate Tythes, or other Lands, Tenements or Hereditaments whatsoever, which are granted or intended, or mentioned to be granted by the said Letters Patents, any thing in this Act contained to the contrary notwithstanding.

And be it enacted by the authority aforesaid That all and singular the Honours, Castles, Mannors, Lordships, Signiories, Abbeyes, Abbey-Lands, Improprate Tythes, Lands, Tenements, and other Hereditaments whatsoever which are granted, or intended or mentioned to be granted, in or by the said Letters Patents, shall be immediately without any previous Reprizal or other Incumbrance whatsoever, vested, settled and established, and are hereby vested settled and established, in the said Richard Earl of Clanrickard and his heirs, to and for the uses, intents and purposes, and in such manner as is expressed and set forth in and by the said letters Patents, & to no other use, intent or purpose, or in any other manner whatsoever, and that the said Richard Earl of Clanrickard and his heirs, shall and may have, hold, occupy and enjoy the same, to the uses, intents and purposes, and by and under the Rents and Services in and by the said Letters Patents mentioned and reserved, and by no other Rents or Services, any thing in this Act, or any other Act, Law, Statute, Ordinance, Order, Attainder, Record, Provision, Sequestration, Distribution, allotment, Judgement, Conviction, or any cause, matter or thing had, made, transacted or done to the contrary notwithstanding.

Saving to
all manner
of persons,
&c.

Saving to all manner of persons, Bodies Politick and Corporate, other than your Majesty, your Heirs and Successors, and such as shall or may claime from, by or under your Majesty, and other than such whose Estate would have vested or been in your Majesty, by the general scope, words or intent of this Act: if the above-proviso were not had, made, inserted or mentioned in this Act, and other than such who had held or were possessed of any of the Lands, Tenements or Hereditaments by the said Letters Patents, granted by or under any descentable Right, Title or Estate, and other than such as shall or may pretend or claime any Right or Title thereunto, in prejudice of any the uses limited in and by the said Letters Patents by descent, or by virtue of any Estate or Remainder in Tail from any the late Earls of Clanrickard, all and every the Right, Title, Estate and Interest.

Reprizable
persons to
be reprized.

Nevertheless it is hereby declared and enacted, That such persons, their Heirs and assigns to whom any of the lands belonging to the said Earl of Clanrickard have been set out, and who are by this Act reprizable for the same, be forthwith reprized out of the first lands that shall come unto his Majesty in the province of Connaught and County of Clare,



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Clare, either by restoring of any persons to their Estates, who were formerly Transplanted, or otherwise, any thing in this Act to the contrary notwithstanding.

Provided also and be it further Enacted by the authority aforesaid that the Lord Lieutenant, or other Chief Governour or Governours of this Kingdome, for the time being, by and with the consent of the privy-Council, shall have full power and Authority to erect another College to be of the University of Dublin to be called by the Name of the Kings Colledge, and out of all and every the Lands, Tenements and Hereditaments vested by this Act in his Majesty and which shall be settled or restored by virtue thereof, to raise a yearly allowance for ever not exceeding Two thousand Pounds per annum, by an equal charge upon every One thousand Acres or lesser quantities proportionably, and therewith to endow the said Colledge, which said Colledge so as aforesaid to be erected, shall be settled, regulated and governed by such Laws, Statutes, Ordinances and Constitutions as his Majesty, his Heirs or Successors shall under his or their Great Seal of England or Ireland declare or appoint.

2000 pound
per annum
to be raised
for another
Colledge to
be called
Kings col-
ledge.

Provided nevertheless, and be it Enacted by the Authority aforesaid that Robert Boyl Esq; his Executors, Administrators and assigns, shall and may for and during the term of Thirty one years, have hold and enjoy all and singular the impropriations of or belonging to the respective Abbies, late dissolved Monasteries, Religious houses, priories or Parishes of Ballytabber in the county of Mayo, Knockmoy, Kilerulta, Oran, alias, St. Maries, Athenry and Dunmore in the County of Galway, and Tyhone in the County of Tipperary, or any of them together with all the Improprate tyths and Rectories, and appurtenances of the said Improprations, tyths and Rectories, or belonging thereunto, which belong unto or by this Act, are vested in your Majesty to any of the aforesaid Uses, according to the tenor and effect of such grant or grants as hath or have been, or hereafter shall be past unto him thereof by your Majesties letters Patents in that behalf, be or they paying yearly for the same double the Exchequer or Crown Rent reserved thereupon in the year, One thousand six hundred forty One.

Prebisto for
Robert
Boyle Esq.

Provided always, and it is further enacted by the Authority aforesaid, That in all cases of Grants of lands made since the date of his Majesties Declaration and Instructions, or in case of Provisoers in this Act which give reprisals to any person or persons of meer grace, that could not claim reprisals by virtue of the said Declaration or Instructions, (and not as adventurers or souldiers) the person or persons concerned in such Grants or Provisoers, shall not have benefit of reprisals till after such persons and interests reprisable by the said Declaration and Instructions be first reprized.

Provisoers
such as are
to be reprized
of meer
grace

And whereas during the passing of this present Act, Charles Earl of Mountsrath, died, whereby some Questions have arisen between the Countess Dowager of Mountsrath, and the Heirs and Younger Children of the said Charles Earl of Mountsrath concerning the Settlements and Dispositions of the said Charles Earl of Mountsrath, and his Intentions to dispose of his new acquired Estate: be it further Enacted by the authority aforesaid that all the singular the Manors, lands, tenements and hereditaments, and all benefits of reprisals and other the advantages by this Act intended to be given granted or confirmed unto the said Charles Earl of Mountsrath shall accrue unto and remain be, and continue in his Majesty, his Heirs and Successors, untill such

Clause for
the countess
Dowager
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children of
the late earl
of
Mountsrath

time as the Lord Lieutenant, or other Chief Governour or Governours of Ireland for the time being, and the Privy Council there, shall upon Examination of the Settlement, and the last Will and Testament of the said Charles Earl of Mountrath, if any such Will there be, and of any other matters or things whereby the intentions of the said Charles Earl of Mountrath in disposing of his said Estate may appear, and according to such dispositions as the said Charles Earl of Mountrath did make in his life time, make a final judgment and determination, therein; and that such judgment and determination, and all Grants and Letters Patents that shall be thereupon made, shall be as good and as effectual in Law to all intents and purposes, as if the same had been particularly mentioned in this present Act.

Provided always, That if such judgment and determination shall not be made within Two moneths after the sitting of the Commissioners for execution of this Act in Ireland; that then all and singular the manors, lands, tenements and hereditaments, and all other the benefits and advantages by this Act intended to be given, granted or confirmed unto the said Charles Earl of Mountrath, shall go and endure according to the general purport, provision and meaning of this Act herein before expressed, to such person or persons as by this Act can make best Title thereunto, and that in such case the foregoing Clause shall be of no effect, and utterly void, and that in the mean time the possession of, and in the premises hereby vested in his Majesty, shall not be disturbed, but be and remain where it now is: And that the arrears of Rent and mean profit of the same, shall and may be received by those that are in possession thereof subject to the said final judgment and determination, any thing in this Act to the contrary thereof in any wise notwithstanding.

Clause for
Sir Will:
Russell Dr.
Jonathan
Goddard,

And be it further enacted by the Authority aforesaid, That all the lands, tenements and hereditaments, lying in the Baronies of Dunboyne and Rathtooth and County of Meath, whereof Henry Cromwel was by himself, his tenants or assigns, possessed the Seventh of May, One thousand six hundred fifty nine, be settled upon and confirmed unto Sir William Russel of Laughorn Baronet, and Dr. Jonathan Goddard, their heirs and assigns for ever: And that the lands, tenements and hereditaments, lying in the Province of Connaught, whereof the said Henry Cromwel was in the like manner possessed on the said Seventh of May, be settled upon and confirmed unto John Russel of Chipubam Esq; his heirs and assigns for ever, any thing in this Act to the contrary notwithstanding, the same together with all arrears of Rent to be had and held by and according to such rents, tenures and directions for restitutions, incumbrances and reprisals, as by his Majesties Declaration of the Thirtieth of November, One thousand six hundred and sixty, is expressed concerning such as were then of his Army in Ireland; and moreover, That Eight hundred and fiftie pounds be satisfied unto the said John Russel, as an Adventurer, in such manner as by this Act is appointed in the case of any other Adventurers.

Clause for
John Russel

Proviso for
Sir Lucas
Dillon and
others.

Provided also, and it is enacted by the Authority aforesaid, That the heirs of Sir Lucas Dillon Knight, Sir Robert Calbot Baronet, the heirs of Sir Valentine Blake Baronet, Sir Richard Blake Knight, Dr. Gerrald Fennel, Geoffrey Brown, John Brown of the Neal, John Walsh, Thomas Terril, Edmond Dillon, John Talbot of Mallahide, Francis Coghlan of Kilcolgan in the Kings County, Robert Nugent of Carlanstown, Sir John Bourke of Derry MacLaghney, Thomas



mas Arthur Esq; Dr. in Physick, Gerald Flemming of Castle Fleming, Luke Bary of Ackarne, & Bartholomew Stackpoole Esqrs; who, or their respective Fathers, have eminently suffered for their adhering to the authority of his Majesty, or his late Father of blessed memory, in this Kingdom, against the Runcio and his party, shall be forthwith restored to their former respective estates, houses, manors, lands, tenements, hereditaments, rents, privileges and services by them claimed as respective inheritors and proprietors, or as heirs to their respective fathers, and whereof they, or any of their said fathers were dispossessed by the late usurped power, and be therein settled and quieted in possession to them & their heirs respectively, as fully, freely & beneficially, & with the same advantages, benefits & assurances to all intents & purposes as the Lord Wisc. Pettervil, & the Lord Wisc. Galmoy, and the rest with them in the Declaration herein before mentioned, ought by virtue of the said Declaration & this present Act, to be restored to their respective estates, any thing herein contained to the contrary notwithstanding.

Provided always, That as to all and every the clauses & provisoes of power herein before mentioned, wherein or whereby the estates or interests of any private persons are seized and confirmed, and the several & respective Grants thereby made to any person or persons, it shall & may be lawful for the Lord Lieutenant, or other chief Governour or Governours and Council of Ireland for the time being, at any time before the first day of December, 1652. to suspend the execution thereof, or of any of them, till they have examined & informed themselves concerning the same: & such of them as they shall find contrary to, or inconsistent with the aforesaid Declaration & instructions, or inconvenient for the general settlement hereby intended, to be allowed in their full latitude, they have full power & authority hereby granted to them, to retrench, alter or change, & by their direction or order to the Commissioners for execution of this Act to disallow such of them as they shall think meet, in part or in whole, or to order how far, & in what manner the same shall be executed or observed: Which direction or orders of the said Lord Lieutenant, or other Chief Governour or Governours and Council, shall be final, and are to be obeyed by the said Commissioners, whose proceedings thereupon, or in pursuance thereof, shall be as valid to all intents and purposes, as if they had been particularly appointed or directed by this Act, any thing therein contained to the contrary notwithstanding.

C A P. III.

An Act for making all Hostlers, Inholders and others, answerable for such Horses, Geldings or Mares as they shall take upon them the charge & keeping of in stables or out-grounds.

VWhereas Hostlers, Inholders, & others who take upon themselves to keep Inns or Stables or both, & Out-grounds for grazing of Horses, are many times very negligent in keeping such horses as are committed to their charge, & much the more negligent, because it is conceived that they are not answerable for any horses which are turned by them to grass: as for those which they keep within Stables, whereby many Gentlemen & others, are many times disappointed of their horses, & often do lose them upon pretence of stealth & the like, whereas sometimes they are conveyed away by the practice & privy of those who are intrusted with the keeping of them: May it therefore please your Majesty that it be enacted, & be it enacted by your Majesty, with the assent & consent of the Lords Spiritual & Temporal, & Commons in Parliament assembled: That all & every Hostler, Inholder or others, who do or shall at any time hereafter take upon them the charge & keeping of horses,

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geldings or mares, in Stables or Out-grounds, shall be henceforth answerable for such horses, geldings or mares, which shall be delivered to them to be kept, any law, custom or usage heretofore to the contrary notwithstanding.

CAP. IV.

An Act for securing off Sir Maurice Esq^r Knight in his lands of Inheritance & Leases for years

CAP. V.

An Act for the Naturalizing of Lewis Desminiers Merchant, Derrick Westenna, Peter Westenna Merchant Son to the said Derrick, Warner Westenna Merchant, Albert Grifton Merchant, William Hallitt and John Griell.

CAP. VI.

An Act for the grant of four Entire Subsidies by the Temporality.

CAP. VII.

An Act for the grant of Eight Entire Subsidies by the Temporality.

CAP. VIII.

An Act for the Settling of the Excize or New Impost upon His Majesty, His Heirs and Successors, according to the Book of Rates therein inserted.

Considerations for this Act,

The Lords Spiritual & Temporal, & the Commons in this present Parliament assembled, in consideration of the gracious inclinations & intentions of your Royal Majesty, for the good quiet & repose of this your Majesties Realm of Ireland, & the great & certain charge, which for this cause must & will exhaust & diminish your Majesties treasure, without some timely provision made for remedy thereof, & withal being very sensible how much it will concern the peace, tranquillity & welfare of all your Majesties good subjects, that some certain Revenue be established for & towards the constant pay of the Army, and forces of your Majesty, & for defraying other publick charges in the defence and preservation of this your Majesties Realm: And considering also that the manner and means of raising monies by way of an excize and New Impost, is found by experience to be the most equal and indifferent levy that can be made or layed on the people for and towards the ends and purposes aforesaid.

time from which it is in force

In all humbleness we your Majesties most faithful & loyal subjects of your Highness realm of Ireland, do pray and beseech your Majesty, that it may be enacted, & be it enacted by your most Excellent Majesty, by & with the advice & consent of the Lords Spiritual & Temporal & Commons in this present Parliament assembled, & by authority of the same, that from & after the 25. day of December, 1661. the several rates and charges hereafter mentioned & no other, in & by the name of the excize or new impost, shall be set, layed & imposed, & are hereby set, layed & imposed to be had, levied, demanded, collected, received, recovered and paid, in and throughout the realm of Ireland, upon all and every the commodities, merchandizes and manufactures, as well native as imported or forraign, in manner and form following, viz.

Rates of Excize on Strong beer

For every 32 gallons of ale & beer, of above 6 s. the barrel price, brewed within this realm by the common brewer, or in his vessels, or by any other person or persons who shall tap or sell out beer or ale publicly or privately, to be paid by the said brewer, or such other person or persons respectively, 2 s. 6 d. & so proportionably for a greater or lesser quantity.

On small.

For every 32 gallons of 6 s. beer or ale, or under that price, brewed by the common brewer, or in his vessels, or by any other person or persons who shall tap & sell such beer or ale publicly or privately, to be paid by the said brewer, or such other person or persons as aforesaid 6 pence, and so proportionably for a greater or lesser quantity.

On Strong-waters.

For all aqua-vite or strong-waters made or distilled within this realm, whether

whether of foreign or domestick spirits or materials, to be afterward sold and vendid, to be paid upon every gallon by the first maker or distiller thereof, four pence.

For all manner & sorts of drugs already imported, & remaining on the hands of the merchant importer, who is not a shop-keeper, retailer or consumptioner thereof, or else to be imported or brought into any the ports or places of this realm, from and after the said 25. of December, 1661. of the value of every 20. s. of the same drugs, according to the several & particular rates & values of the same drugs, as they are particularly & respectively rated and valued in the book of rates herein after mentioned, and referred unto, to be payed, and so after that rate for a greater or lesser quantity two shillings. On Drugs

For all manner and sorts of raw hemp, undrest flax, tow, tar, rosin, pitch, wax, cable, cable-yarn, or cordage, already imported, & remaining on the hands of the merchant importer, who is not a shop-keeper, retailer or consumptioner thereof, or else to be imported or brought into any the ports or places of this realm, from & after the said 25. day of December, 1661. of the value of every 20. s. of the same goods & commodities, according to the several & particular rates & values of the same, as they are particularly & respectively rated & valued in the said book of rates hereafter mentioned and referred unto, to be paid, and so after that rate for a greater or lesser quantity, six pence. On Hemp Pitch &c.

For all sorts of wine, tobacco, silks, salts, & other goods, wares, commodities & merchandizes, of what nature or kind soever, specified & rated in the said book of rates hereafter mentioned & referred unto, already imported & remaining on the hands of the merchant importer, who is not a shop-keeper, retailer or consumptioner thereof, or else to be imported & brought into any the ports or places of this realm, from & after the said 25. day of December, 1661. of the value of every 20. s. of the same wines, tobacco, silks, salt, & other goods, wares, commodities and merchandizes, according as they are particularly and respectively rated and valued in this Book of Rates herein after mentioned and referred unto, and to be paid, and so after that rate for a greater or lesser quantity, Twelve pence. On Wine tobacco silk &c.

For all other sorts of Goods, wares, commodities, merchandizes whatsoever omitted and not specified contained or rated in the said Books of Rates or Values hereafter mentioned, except Jewels, Bullion, Corn, Victuals, Arms and ammunition already imported, or remaining on the hands of the Merchant importer who is not a Shop-keeper, Retailer, or Consumptioner, or else to be imported or brought into any the Ports or Places of this Realm, from and after the said five and twentieth day of December One thousand six hundred sixty one, of the value of every 20 Shillings of the same goods, Wares, Commodities and Merchandizes as they shall or do stand taxed in the book of rates for customs established by this present Parliament, and if omitted and not specified there, then as they shall be rated & valued by the sub-commissioner, collector & searcher for excise in the port or place where the same shall happen to be imported, or according to the highest price the said commodities in their several species, sortments & kinds, shall then bear in the market to be paid: so after that rate for a greater or lesser quantity, 12 pence. On all other goods and Merchandizes Except Jewels &c.

All which duties to be paid for any commodities or merchandizes already or hereafter to be imported as aforesaid, shall from time to time & at all times be paid by the first buyer of all & every the said commodities & merchandizes, before his receiving of the same from the merchant that hath already, or shall hereafter import or bring in the same (except as hereafter is excepted.) to be paid by the first Buyer.

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And

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And unless the merchant shall or do happen to be a Shop-keeper, re-
tailer, or one imploying the commodities of his importation for his
own use & consumption, in all & every which cases the duties of excize
shall be paid & satisfied by such importer, Shop-keeper, retailer, or other
person as aforesaid, upon the importing & landing of his or their goods,
& before he or they be permitted & suffered to receive or carry his or their
goods away from the custom-house, or other place of the port in which
they may happen to be landed & brought on shore, & the rates & values
before mentioned (according to which the excize is intended to be paid
by this present act as aforesaid) are declared & enacted to be the rates &
values mentioned & expressed in one book of rates and values hereafter
following, intituled, A Book of Rates and Values of Goods and Merchand-
izes imported according to which excize is to be paid by the first buyer or
importer respectively, which said book of rates & values, & every article,
rule & clause therein contained shall be & remain as effectual to all in-
tents and purposes, as if the same were included particularly in the
body of this Act.

to prevent
frauds.

And for the better leying and collecting all and every of the said
duties of Excize aforesaid, and preventing the many fraudes, deceits and
undue practises which may be had and used by evil disposed persons
and others to elude this present Act.

Merchants
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ties on Datb

And be it further enacted and ordained by the authority aforesaid,
That all and every the Merchants importers, who keep neither Shop,
nor retails or consume the goods and commodities of their own im-
portation, inhabiting or trading within the city of Dublin, and all
other the Towns corporate, Ports, and all other Places of this King-
dom, do at or upon the first day of January, One thousand six hundred
sixty one, make and deliver unto the Commissioners of Excize hereaf-
ter mentioned, their Sub-Commissioners, Collectors, or other chief
Officer resident at the Office of Excize, under which he or they live or
inhabit, a true and perfect account whether they have any imported
or foreign goods and commodities excizable, resting on his or their
hands, or in the hands of any other, to his or their use at the time of
giving in such account or accounts or no, and if so, to mention and ex-
press the true species, sortment, kind, quality and quantity, of all and e-
very the same, and shall likewise make Datb before the said Com-
missioners, Sub-commissioners, or other Chief Officer as aforesaid,
who or any one of them, are hereby authorized and required to admi-
nister the same, that the account then by him or them given in, is a true,
just & perfect account as it is by him or them delivered in: & that they
not colourably or otherwise, under any pretence whatsoever, out of
favour, affection, or respect to themselves, or any other or others, con-
cealed, omitted, or left out any goods or commodities resting or re-
maining on his or their hands, or the hands of any other or others, for
his or their use at the time aforesaid. And further, That all and eve-
ry the goods in the said account mentioned and expressed, and shewn
unto the Officer or Officers as hereafter is directed, were (Bona fide)
imported by him or themselves, and entred upon their Landing in
his or their names, and not belonging unto, or entred in the names
of any other or others whatsoever, and after and upon the delibering
of every such account respectively, the said Commissioners of the Excize
or their Sub-commissioners, collector or chief Officer respectively,
are hereby charged and required to send one or more Officer or Offi-
cers to enter into the cellars, vaults, store-houses, ware-houses, store-
cellars, or other places, of every Merchant, delivering and giving in
account



account as aforesaid, to search, see, and try whether the quality and quantity of Goods every or any such person hath in his or their hands, or any other person or persons to his or their use, do exceed such account, or no; and if the same be found to agree, that then the account given in, shall be the rise and beginning of a new account for the future to be had and kept in the Excise-Office with every the aforesaid Merchants respectively, who forthwith, upon the agreeing of their rest, or remainder as aforesaid, shall make and enter into a sufficient obligation in the Law, in such form and manner as hereafter is directed and appointed, to be done by known Merchants entering and landing their Goods, not to deliver all or any of the same, before the duties of Excise shall be duly and truly answered, according to the purport and meaning of this present Act, And in case any Merchant, importer or other, liable to give in an account as aforesaid, shall neglect, omit or refuse to make and deliver in such account at the time aforesaid, or else making and delivering in such account, and at such time as aforesaid, shall not upon demand thereof by such Officer or Officers as shall be appointed as aforesaid, permit and suffer him or them to enter into his or their several Vaults, Store-houses, Ware-houses, Store-Cellars, or other places to search, see and take account of the quantity and quality of all and every the Goods and Commodities Excisable that shall be or remain in all or any the same, or shall conceal, hide, or not shew all and every his and their Vaults, Store-houses, Ware-houses, Store-cellars, or other places, or any Goods or Commodities aforesaid, from the view and search of any such Officer or Officers shall for every such his or their default therein, lose and forfeit the sum of Two hundred pounds, to be levied by distress, or else for want thereof the party so offending to be committed to prison as hereafter is appointed.

Merchants refusing such account, denying entrance or concealing goods to forfeit 200 l.

That no Goods, Wares, Commodities or Merchandizes whatsoever excisable, from and after the said five and twentieth day of December, One thousand six hundred sixty one, be taken up or discharged out of any Galliard, Lighter, Ship, Vessel or Bottom whatsoever, coming from any part beyond the Sea, being not in leak or wrack; to be laid on land, or laden or put off, or from any wharf, Key or any other place on the land into any Galliard, Lighter, Ship, Vessel or other Bottom whatsoever, to be transported or shipped off before such Galliard, Lighter, Ship, Vessel or other Bottom have been first entered into the Custom-house of such Port or other place, where such Vessel shall happen to unlade or lade, or at any other time or times but only in the day light (that is to say) from the first of March until the last of September, betwixt the Sun-rising & Sun-setting, & from the last day of September until the first of March, between the hours of Seven in the morning and four in the afternoon, nor at, in or upon any other place or places, than upon the open Key, Wharfs, Landing-places, or Ships of the several Custom-houses of the Ports of this Realm, or such other places as the Lord Lieutenant, Lord Deputy, or other Chief Governour or Governours and Privy Council of this Realm for the time being, upon application made unto them by the Commissioners of Excise hereafter mentioned, shall therefore assign and appoint from time to time, any former Law, Custom or Usage to the contrary notwithstanding; nor without the cognizance, knowledge, privy or consent of such Officer or Officers as shall be on board any such Ship or other Vessel attending the unlading thereof upon the pain of forfeiture not only of all such Goods, Wares and Merchandises so discharged or laden contra-

goods landed or laden without entry or in undue time and place to be forfeited & the value

ry to the true meaning hereof; but further also the value of the said Goods, Wares and Merchandises to be levied by distress, upon the Goods and Chattles of the Claimers or Proprietors of the same, as hereafter in this Act is directed and appointed.

And the
Owners to
forfeit 100 l.

That all Owners, Masters, Purseres or other persons taking charge of any Ship, Vessel or Bottom, out of or into which Wares or Merchandises imported from or shipped out for beyond the Seas, shall be discharged or laden delivering, receiving or permitting and suffering either themselves or any of their Ships company for them, either by or without his or their consent, to be delivered from or received on board into or out of any Gabbard, Lighter, Hoy-boat or other vessel whatsoever, any goods, wares or merchandises in any other place or places, or at any other hours or times than is before limited and appointed, or without the cognizance, knowledge, privity or consent of the officer or officers on board, as aforesaid, where any such officers shall be, every such owner, master, purser, or other person, taking charge of any such ship, gabbard or vessel, shall forfeit and lose for every such offence one hundred pound to be levied by distress of the goods and chattels of such owner, master, purser or other person, or in default thereof to be committed unto prison, as hereafter is directed, there to remain for Twelve moneths without bail or main-prize, unless he shall before that time pay and satisfie the same.

Also every
mariner &c.
privey
thereof, to
lose 10 l.

And every Mariner, Sea-man or other person knowing, consenting, aiding, assisting or being present at the delivering or receiving any Goods or Commodities out of or into any Ship, Gabbard, Lighter, Hoy-boat, or other Vessel whatsoever, contrary to the true intent and meaning hereof as aforesaid, who shall not within One moneth after the doing thereof disclose the same unto the Chief Commissioners, their Sub-commissioners, or Officers for the Excise hereafter in this Act mentioned, of the Port or place where, or within whose office or charge any such offence shall be committed or done, shall for every such concealment or not disclosing such offence, as is aforesaid, forfeit and lose Ten pounds of good and lawful moneys to be levied by distress, or in default thereof the party offending to be sent to the next house of Correction, and dealt with as hereafter is directed and appointed.

Boatmen
who carry
the same on
shore or
shipboard, to
forfeit 10 l.
and the ves-
sel, and each
assistant 5 l.

That no person or persons having the charge of any Gabbard, Lighter, Boat, Wherry, Skiff or other vessel whatsoever, usually bringing and carrying goods from on board any ship or vessel to the shore from the shore, to any other ship or vessel, riding or being in any road, harbour or port of this Realm, shall receive any goods or commodities Excisable into his or their Gabbard, Lighter, Boat, Wherry, Skiff or other vessel to carry the same on board any other Ship or Vessel as aforesaid, at any other place or places, or at any other hours or times than is expressed and appointed in the foregoing Articles, nor shall receive or take into his or their Gabbard, Lighter, Boat, Wherry, Skiff or other vessel, from on board any other Ship or Vessel, riding or being in any road, harbour or port, not being in wrack or leak, any Goods or Commodities whatsoever to carry the same on shore but at the same hours and places, nor before he or they shall first receive a Note from the Officer for excise where any such Officer shall be attending on board such Ship or Vessel out of which the said Goods shall be delivered, which Note the said Officer is hereby required and enjoined to make and deliver accordingly, specifying the name of such person that hath charge of the same Gabbard, Lighter, Boat, Wherry, Skiff or other vessel, and the marks and numbers of every Cask, Hoghead, Pack, Farthel,



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farthel, Truss, Bale, Seron, Bag, Potato, Ballot, Role, Bundle, Box, or outward form or Bulk or any parcel or piece Goods within the same, and also the Key, Wharf, or place where the said Goods are to be landed, which shall be such Key, Wharf, or place, and no other, as is or shall be allowed and appointed for landing and bringing Goods on shore as aforesaid, nor shall afterward discharge and land, or attempt or cause to be discharged and landed all or any the Goods and Commodities received from aboard, as aforesaid, at any other hours, times or seasons, than at the hours and times aforesaid, or at any other place or places than at or upon the open Key, Wharf or other landing places of the several and respective Custom-houses of the Ports of this Realm, or such other place or places as is or shall be allowed and appointed for doing thereof, or without he or they first produce and deliver to the Writter on shore the Note received from the Writter or Officer on board, where such Officer shall be as aforesaid, upon pain not only that every such person or persons having charge of such Galliard, Leighter, Boat, Wherry, Skiff or other Vessel, being contrary hereunto, shall forfeit and lose the sum of Ten pounds to be levied by distress on his or their respective goods and chattels, or in default thereof suffer imprisonment, and be punished as is hereafter directed and appointed, but also every Galliard, Leighter, Boat, Wherry, Skiff or other Vessel into or out of which such Goods shall be received or landed, together with the Goods so received and landed, or attempted to be landed, together with their value, shall be forfeited and confiscated: And all Mariners and Sea-men or other persons, that shall be found or discovered to have sailed, rowed, thored, towed and managed, or were helping and assisting in the sailing, thoring, towing, or managing of any such Galliard, Leighter, Boat, Wherry, Skiff or other Vessel so forfeited, shall pay and lose every of them the sum of five pounds to be levied by distress, or else the party offending to be imprisoned and punished as hereafter is directed, such only of them excepted, as shall within thirty days next after any such offence committed, make known or discover the same unto some or more of the Commissioners of Excise, their Sub-commissioners Collectors or Officers of the port or place where the same was done and acted.

That no Wharfinger, or keeper of any Crane or Warehouse, no Porter, Carman, waterman or other person, do take up or let down, or help to take up or otherwise permit, suffer, help, aid or assist the bringing on or shipping off any wharf, key or other place, any Goods or Merchandizes whatsoever, but in the presence of an officer for the Excise, and at seasonable hours as aforesaid, upon penalty to forfeit ten pounds for every such offence.

That every porter, Carman, or other person whatsoever, that shall, at any unreasonable hour, or from any unlawfull place, draw, carry or convey any Goods or Merchandises excisable in any Coach, Cart, Waggon, Tumbril, or other manner of Draught, or else by way of burthen, and every Porter, Carman, or other person, that shall knowingly at any other time whatsoever though seasonable, load, drive, carry or convey any Goods and Merchandizes, which shall have been landed, or laid on shore, before entry first made at any unreasonable hour, or at any unlawful place, shall for his or their so doing not only lose and pay five pounds to be levied by distress, or else punished as hereafter is directed: but the Coach, Cart or other Draught, with the Horses or Cattle drawing of them, or their value shall be forfeited and confiscated.

Excise Of
ficers may
seize and se-
cure them,

And in case any porter, Carman or other person carrying or conveying, as aforesaid, shall be met and discovered doing thereof, that it shall and may be lawful for any officer of the Excise, or other person to seize and secure every such Coach, Cart, Waggon, Tumbril, Draught, with the Horses and Cattle drawing, and the person driving in the same, that so they may be proceeded against as herein is directed and appointed.

Goods seized
to be for-
feited, and
the value,

That all goods, Wares, Merchandises and Commodities whatsoever, coming in or going out either from or to any part or place beyond the Sea, or to any Port or Haven of this Realm, that shall be unshipped, landed or laid on Shore, or else shipped off from the same at any hours or times, or other Keys, Wharfs or places than as before in this Act mentioned, which are hereby intended and declared, to be the only seasonable and lawful times and places for shipping and landing Goods, or that shall be unshipped at any time before due Entry of the same made with, or the Warrant or Licence had and obtained from the Officer of Excise in the Port where such Goods shall be unshipped, landed or shipped off, for doing thereof shall be lost and forfeited, and the Merchant, Importer, or other person that shall land or ship, or cause the same or any part thereof to be landed or shipped, shall likewise forfeit more the just value of the Goods so landed or shipped off, or otherwise be proceeded against as hereafter is appointed.

Goods to be
entered in
the name of
the true
Importer.

That no merchant, or merchants, or any other person or persons whatsoever, entering any goods, wares or merchandises inwards from beyond the Seas, shall enter his or their goods or commodities, in any other than the name of the true & real Importer of the said Goods & Commodities, nor shall make use of the name of any known Merchant, or any other person or persons whatsoever, to colour his or their Goods, whether it be with or without the consent of such known Merchant, or other person or persons, upon pain of forfeiture of such Goods, or the value of the Goods found or discovered to be so entered or coloured contrary to the true meaning hereof, to be levied or proceeded against, as hereafter in this Act is directed and appointed.

Merchants
purely to af-
ter entry
made, to
give bond
for payment
of excise be-
fore deliv-
ery of their
goods.

That every Merchant or Importer that is not a Shop-keeper, Retailer or consumptioner, after entry of his or their Goods by Bill under his or their hand, or the hand of such for whom he or they will engage to be answerable, presently and before he or they be permitted to have any Warrant to receive his or their goods out of the Ship, or from the water-side, shall make and enter into sufficient obligation in the Law, in which he or they singly, if he or they be known Merchants, and reputed responsible persons, or otherwise with sufficient Security, shall be bound to our Sovereign Lord the King in such sum or sums of money as shall amount to the double value of his or their goods, with condition that he or they shall not & will not deliver, or cause to suffer any of the said Goods to be delivered unto any of the Buyers thereof, or put or delivered into the custodie or possession of any Shop-keeper or Retailer whatsoever, before such time as the duty of Excise set and imposed by this present Act, upon his or their said Goods, be first duly paid and satisfied.

On failure
the goods
to be sold
up in the
King's wa-
rhouse.

And in case any the persons aforesaid, cannot or will not give Bond in manner and form aforesaid, That every such person shall then be liable to pay down the Excise of his Goods, and if he shall not be able, or else refuse the doing thereof, that then the Commissioners of Excise, their Sub-commissioners and Collectors respectively in every Port of this Realm, or such as they shall appoint, are hereby authorized and required

required to take up such persons Goods, and after due notice taken in the presence of the Owner, or such as he shall appoint, of the quantity and quality thereof; or if he refuse in the presence of Two good witnesses, to house and lay the same up in his Majesties or other fitting warehouse or ware-houses, there to be kept until sufficient Bond be given or Excise fully paid, as aforesaid. And the Owner or Proprietor aforesaid, coming to clear his or their Goods, shall besides his or their Excise pay and satisfy such moderate Rates by the Week or Month for Ware-house Room of his or their Goods, as the Commissioners of Excise, or their Sub-commissioners, Collectors, or other Chief Officer in the Ports respectively in their discretions shall think fit.

That every Merchant, or Importer of any excisable Commodities, after he hath entred his Goods and given Bond as aforesaid, shall afterwards upon sale of all or any part of the same, under his own hand, or the hand of his Servant, for whom he shall be responsible, certify in writing the quality, quantity, weight and measure of his Goods sold, with the name of the Buyer, who bringing and delivering of the same unto the Office of Excise under which he lives, shall then and there pay the Excise of the Goods so certified to be sold, unto the Officer appointed to receive the same, who shall thereupon give him a Receipt for such his Excise, and no Merchant Importer aforesaid, before delivery of such Certificate, and payment of the Excise as aforesaid, shall deliver or cause to be delivered, nor any Buyer or other person receive all or any such Goods upon pain of forfeiture of double the value of the goods so delivered and received, which forfeiture the said Buyer and Receiver shall be only liable unto, and subject to such other proceedings for want of Distress, as is hereafter directed.

That a Barter, Truck or Exchange of one Goods for another, shall to all intents and purposes be deemed and reputed a Sale, and Excise presently payed for both Commodities, if they be both liable to pay Excise, or for such of the Commodities as is liable thereunto, upon pain of forfeiting by the Parties bartering, trucking or exchanging equally, as in case of not paying Excise for Goods upon Sale of them.

That every Shop-keeper, Retailer, or other person importing any Commodities or Wares of his own Trade, or for his own private use or expense, shall not be permitted to unship, take up or land the same, before he shall first make true Entry both for the quantity and quality, nor be permitted to carry away all or every part of the same, before the Excise be fully paid and satisfied.

And if any Shop-keeper or Retailer either shall take up, or carry away his Goods before due Entry or Payment of Excise, or shall enter his Goods in any other persons name than his own, or if any shall enter or take up any Goods for any Shop-keeper, Retailer or Consumer, such Shop-keeper, or Retailer, or other person whatsoever, shall respectively forfeit double the value of the said Goods so taken up or carried away, to be levied by distress of the Goods and Chattels of such Offender respectively: And in default thereof every such Offender to be imprisoned till due satisfaction be made for such Forfeiture, as is hereafter appointed.

That if any Merchant, Shop-keeper or other person having Goods to enter, shall voluntarily declare upon his Oath, before the Commissioners of Excise, their Sub-commissioners or other chief Officer in the respective Ports, who are hereby authorized and impowered to take and administer such Oath, that he knows not the true and just quantity or quality of such his Goods, in all and every such case, or upon any

Merchants
to Certifie
their sale of
Excisable
Commo-
dities and
pay the Ex-
cise.

Barter to
be deemed
sale.

Retailers
not
to land and
carry away
goods till
entred and
the Excise
paid.

On failure
to forfeit
the double
value of
them.

Importers
swearing
they know
not the par-
ticulars of
their
commodi-
ties may

have a bill
of lading and
then enter
them.

any other emergency requiring the same, it shall and may (any thing before in this present Act to the contrary notwithstanding) be lawful to the Commissioners of Excise, their Sub-commissioners, and Collectors respectively in the Ports, to grant Warrant and Licence for bringing the same to the Custom-house Key or Wharf, where the same shall be taken up, and victualled in some convenient place, in presence of an Officer appointed thereunto; and the Owner and Proprietor shall thereupon make particular Entries thereof, both for quantity and quality, upon pain of forfeiting the goods and value of the goods which shall be omitted to be entered, or else which shall be entered short, or not according to their true denominations and kinds.

Penalty on
unduly
landing or
lading goods

That all and every Owner, Master and Commander of any Ship or coasting Vessel transporting or carrying any goods or commodities from one Port to another within this Realm, shall not receive on board, discharge or deliver on Shore, or into any other Harbour or Lighter or Boat, to be carried on Shore, any goods or commodities Excisable at any other than seasonable hours and times, and from, at or upon no other Keys and places than is before declared, nor without licence and leave first had for doing thereof from the Commissioners of Excise, their Sub-commissioners, Collectors or Officers, upon pain, that every Owner, Master and Commander of such Ship or Vessel, shall for every time he shall so offend, pay and lose the sum of Twenty pounds, and every Mariner, Sea-man or other knowing thereof, or being aiding, abetting or assisting in doing thereof, the sum of five pounds, to be levied by distress, or otherwise proceeded against as hereafter is directed.

Coasters
not to land
their goods
without
producing
Transfers
and making
Oath con-
cerning the
same.

That every Owner, Master or Commander taking charge of any coasting Vessels as aforesaid, after he is entered and laden, shall not go out of the Port before he do first receive a Let-pass or Transire from the Commissioners of Excise, their Sub-commissioners, Collectors or other Officer in the respective Ports out of which he is going, specifying and expressing the quality and quantity of the goods and commodities Excisable, and to what Port, which to Let-pass or Transire the said Commissioners and their Officers respectively are hereby charged and required to make and give accordingly: Nor shall any such Owner, Master or Commander arriving afterward at his or their intended, or at any other Port of this Realm, be permitted to receive any Warrant for landing and delivering of the Goods and Commodities by him or them transported and carried, at or upon the Shore or Land, before he or they do deliver unto the Officer for Excise in the said Port appointed to receive the same, the aforesaid Let-pass or Transire, and that then the aforesaid Owner, Master, Commander or such other person who was constantly on Board, and sailed along the whole Voyage of the said Ship or Vessel, and no other shall make Oath before the Commissioners for Excise, their Sub-commissioners, Collectors, or other Officers who are hereby authorized and impowered to administer such Oath, that to his certain knowledge there was not, nor had nor been laded on Board, or taken into the said Ship or Vessel, any Goods or Commodities Excisable, since the granting of the said Let-pass or Transire, nor that the said Ship or Vessel had been beyond the Seas, nor at any other place or Port, except such place & Port as he shall then & there declare: And in case such Ship or Vessel be to deliver part of her goods or lading at one Port, & the rest at any other Port or Ports, that the Officers for Excise, where such part or parts of the said Goods or lading shall happen to be delivered, shall certify or indorse on the back side of the

the

the said Let-passe or Tansire, the quantity and quality of the Goods or lading mentioned in the said Let-passe, which have been landed and delivered in such Port or Ports.

That all Shop-keepers, Retailers and others, Shipping Goods which had before payed Excise for any the Ports of this Realm shall take and receive from the Officer of Excise in the Port out of which he shall ship the same, Certificate under the hand of such Officer certifying the contents, quantity and quality of the same, and that they are the Goods and Wares of a Shop-keeper or Retailer, which Certificate shall be delivered to the Officer of Excise in the Port where they arrive, who shall thereupon grant Warrant for their landing and taking up without further question or trouble: but if such Certificate be concealed or omitted to be taken out or delivered as aforesaid, that then such goods shall be reputed Merchants goods, and shall be liable to entry, have bond given, or payment made of the Excise of the same, in such manner as if they had come directly thither from any parts or places beyond the Seas.

That all Goods entred for the Custom either inwards or outwards, shall be entred in the name of the true Owner and Proprietor of the same, and no other, upon pain that all Goods entred otherwise for evading or eluding the present Duties of Excise shall be seized, forfeited and condemned, as is hereafter directed.

And in case any Shop-keeper, Retailer or other, shall colourably or otherwise fraudulently ship out any Goods or Commodities of some known Merchants or other, and liable to Excise until sale of the same, all and every such Shop-keeper or Retailer pretending property in such Goods, shall forfeit double the value of the same, to be levied by Distress, and further be proceeded against as is hereafter directed and appointed: and likewise be disfranchised and made incapable for ever after to be a Member of any Burrough or Town Corporate within this Realm: and the Mayor and other Magistrates of the Burrough or Town Corporate of which he is a Member, are hereby required and authorized upon proof made thereof, to proceed to the disfranchising of such person accordingly.

That forasmuch as sundry Commodities are perishable and liable to leakage, waste and decay, the Commissioners of Excise, their Sub-Commissioners, and Collectors of the Ports respectively, shall therefore, and are hereby authorized to appoint sworn Officers for the viewing of all decayed Wines, and viewing of all perishable Commodities, and upon report made by them shall make and give such allowance for the said cause and reasons, upon the landing and before the housing of such Goods as they in their Judgments shall think fit, not exceeding or allowing more than is given or afforded for the same cause in the like matter of Customs, and Subsidy of Tonnage or Poundage, according to which they shall at all times regulate and govern themselves accordingly.

That for taking away all Disputes or Controversies that may arise touching the contents of a Tun of Wines, It is hereby declared, although Two hundred fifty two Gallons is the just measure of One Tun, that nevertheless Two Buts, Two Pipes, Four Hogheads of what sort soever, Six Ceirces, Three Puncheons, or Cerciions, and Eight Quarter-casks, shall be reckoned and accounted a Tun of wine, and every Cask of Wine imported, which if full, shall exceed a Quarter-cask, shall be accounted for a Ceirce, and every Cask that shall exceed a Ceirce, shall be accounted for a Hoghead, and every Cask that

shall exceed an Hoghead shall be accounted for a Puncheon, and every Cask that exceeds a Puncheon shall be accounted a But or Pipe, without any allowance of Undergauge whatsoever.

Penalty
on Brewers
sc. not
weekly en-
tring their
Liquors,

That all common Brewers of Beer and Ale, makers and Distillers of Aqua-vite and Strong-waters to sell again in their Shops, who by this present Act are charged with Excise, and lyable to payment thereof, upon the brewing or making of their Beer and Ale, Aqua-vite and Strong-waters, shall under their own hands, or the hands of such for whom they shall be responsible weekly (that is to say) on the Sunday of every week, make true entry at the Office of Excise under which they live, of the quality and quantity of all Beer and Ale, Aqua-vite and Strong-waters by them brewed, made and distilled the week foregoing, and at the same time pay and clear the Excise, upon pain of forfeiting twenty pounds for the first, forty pounds for the second, and sixty pounds for the third week, they or any of them, or any other for them as aforesaid, shall neglect, refuse or omit to make such entry and payment as aforesaid, and further to forfeit double the value of the Beer, Ale, Aqua-vite and Strong-waters by them made and brewed in those or any of those weeks, and before such entry and payment of Excise as aforesaid, the same to be levied by Distress, and in default thereof, the party offending to be proceeded against as is hereafter mentioned and expressed.

Penalty for
neglecting
three weeks
together.

And in case any common Brewer of Beer, and Ale-maker or distiller of Aqua-vite or Strong-waters, shall for more than three several weeks neglect or refuse to enter and pay weekly his Excise as aforesaid, every such Brewer, maker or Distiller of Aqua-vite or Strong-waters shall for ever after be disabled and made incapable of exercising the Trade of common Brewer, Maker or Distiller of Aqua-vite or Strong-waters, unless and until he shall pay one hundred pounds, and give Bonds unto our Sovereign Lord the King, with sufficient Sureties for his due and constant entring and paying weekly in the future, as aforesaid.

Allowance
for Leakage
&c.

That all Common Brewers in paying and clearing their Excise, shall from time to time, and at all times, be allowed sixty four Gallons in every seven hundred and four Gallons of Beer; and thirty two Gallons in every six hundred seventy two Gallons of Ale, and so proportionably for a greater or lesser quantity by them brewed free of Duties to be deducted and defaulted from their payments to be for and in respect of Filling, Waste, Leakage, Returns, or any other accidents or considerations whatsoever.

Wintners
&c. to give
bond for due
entry and
payment of
Excise.

That no Wintners, Inkeepers, Victuallers, Alehouse-keepers, or other persons whatsoever that use common selling of Beer, Ale, Aqua-vite, or Strong-waters, shall be permitted to brew, make or distill his or their own Beer, Ale, Aqua-vite or Strong-waters, unless such Wintners, Inkeepers, Victuallers, Alehouse-keepers and other persons whatsoever, brewing, making and vending by retails in their houses as aforesaid, do forthwith enter into bond to our Sovereign Lord the King with sufficient Sureties in such sum or sums of money as the Commissioners or Sub-commissioners of Excise shall judge reasonable for the true entring and paying weekly at the Office of Excise, under which he or they live, of the Excise of all their Beer, Ale, Aqua-vite or Strong-waters, in case he or they live not above three miles from the said Office, or else every fourteen days, in case they live further off from the same, upon pain that every Wintner, Alehouse-keeper, or other person Brewing making or distilling his or their Beer, Ale, Aqua-vite

or Strong-waters, without bond given as aforesaid, shall upon due proof thereof made before the Commissioners of Excise, or their Sub-commissioners respectively, forfeit for every such offence the sum of Twenty shillings, and if the said person shall offend the second time, then to forfeit the sum of forty shillings to be levied by distresse or otherwise, as hereafter by this Act is appointed; and if the said person shall notwithstanding commit the like offence the third time, then such person or persons so offending, shall not only forfeit three pounds to be levied as aforesaid, but shall and may be committed to some common Gaol by the said Commissioners or Sub-commissioners, till he or they doe enter into bond with a good Surety to his Majesties use: in the penal sum of twenty pounds Sterling, that he shall not and will not brew, make, distill and vend by retaile or otherwise, Beer, Ale, Aqua-vite or Strong waters any more, or at any time afterwards.

That for the better accounting with the common Brewer, Vintner, Inkeeper, Victualler, Ale-house-keeper and others, Brewing, making and retayling Beer, Ale, Aqua-vite or Strong waters, it shall and may be lawful for the Commissioners of Excise or their Sub-commissioners respectively under their hands and seals, to constitute and appoint such and so many sworn Gager or Gagers, Searcher or Searchers as they shall find needfull to enter by night or by day into all or any of their houses, Brew-houses, Still-houses, Out-houses, Store-houses or other places whatsoever, of or belonging to any common Brewer, Vintner, Inkeeper, Victualler, Ale-house-keeper or other Brewer, Maker or Distiller of Beer, Ale, Aqua-vite or Strong-waters, and to gage the Coppers, Fats, Keeses and other vessels of any Brewer, and take account of the barrels of Drink Brewed, and quantity of Aqua-vite or Strong waters distilled or made from time to time, and to make his or their return or report signed under his or their hands to the said Commissioners, their Sub-commissioners or Deputies of such Beer, Ale, Aqua-vite or Strong waters, as by their gage or search they shall find to have been made, Brewed or distilled; and the returns or report of such Gager or Searcher shall be a charge upon the said common Brewer, Vintner, Inkeeper, Victualler, Ale-house-keeper, or other Brewer and Distiller who shall pay Excise accordingly, in case the Return or report of such Gager or Searcher do exceed what the said common and other Brewers and distillers shall upon their Entries charge themselves with, and not otherwise.

That if any common Brewer, Distiller or Maker of Aqua-vite or Strong waters, or if any Vintner, Inkeeper, Victualler, Ale-house-keeper or other person brewing and selling Beer, Ale, Aqua-vite or Strong-waters, shall refuse or deny any Gager or Searcher as aforesaid, to enter into his or their Houses, Brew-houses, Still-houses, Out-houses, Stores or other places whatsoever of or belonging unto them, or any of them, & to gage or take account of his or their Brewing-vessels, Coppers, Fats, Keeses or other vessels, and of his or their Beer, Ale, Aqua-vite or Strong waters, Brewed, made or distilled, or else admitting him or them so to do, shall hide or conceal any part or parcel of his or their Beer, Ale, Aqua-vite or Strong-waters from the gage, view or sight of the Gager or Gagers, Searcher or Searchers, or else make use of any private Tun, Copper, Fat, Keebe, Still, Alimbicks or other Vessel for the making, Brewing or distilling of his or their Beer, Ale, Aqua-vite or Strong waters, without acquainting or giving notice thereof unto such Gager or Gagers, Searcher or Searchers, every

Sworn Gager to be appointed whose Returns are to be a Charge on the Brewer.

Penalty for refusing them entrance or concealing Liquors from them

G g g g g

such

such common Brewer or Distiller, and Maker of Aqua-vite or Strong-waters, shall for every Copper, Fat, Kettle, Still, Almbick or other Vessel so made use of without acquainting or giving notice as aforesaid, forfeit the sum of twenty pounds, and every Wintner, Innkeeper, Victualler or Alehouse-keeper, five pounds, and for denying entrance and liberty of gaging or concealing any Beer, Ale, Aqua-vite or Strong-waters as aforesaid, shall be presently forbidden by such gager or searcher, to carry or deliver any beer or ale, or retail any more beer, ale, Aqua-vite or Strong waters, which if he shall nevertheless do, he or they respectively shall besides the forfeiture of double the value of all such Beer and Ale, Aqua-vite and Strong waters, forfeit more to be paid by every such common Brewer fifty pounds, and by every Wintner, Innkeeper, Alehouse-keeper, Distiller or other, the sum of five pounds, to be levied by distress or otherwise, the party offending to be proceeded against as hereafter is appointed.

Compound-
ers to enter
into band &
be exempt
from making
Entry and
being gaged

Provided alwayes, That if any Wintner, Inn-keeper, Victualler, Ale-house-keeper, or Maker or Distiller of Aqua-vite or Strong-waters, using common selling and retailing of Beer, Ale, Aqua-vite or Strong-waters, shall think fit to compound for the Excise of all Beer, Ale, Aqua-vite or Strong-waters which he or they shall Brew, Make, Distil, Draw, Retail or vend in his or their Houses, that they the said Commissioners of Excise, or Sub-commissioners respectively, are hereby authorized and impowered to agree and compound with such Wintner, Inn-keeper, Victualler, Alehouse-keeper, or others, as aforesaid accordingly, for any time not exceeding Twelve months, and at such Rates to be paid monthly, as they the said Commissioners or Sub-commissioners respectively shall judge meet and reasonable, in which regard is to be had to the number of Gallons of Beer, Ale, Aqua-vite or Strong waters, likely to be made, drawn or sold by every such Wintner, Inn-keeper, Victualler, Alehouse-keeper or other, as aforesaid, in or at their Houses respectively, and not elsewhere, and which are not to be computed and compounded for at less than such Wintner, Inn-keeper, Victualler, Alehouse-keeper or other persons, his or their Excise for Beer, Ale, Aqua-vite or Strong-waters respectively amounted unto at any time for Twelve moneths before-going, and upon Composition and Agreement made, such Wintner, Inn-keeper, Victualler, Alehouse-keeper, or other person as aforesaid, shall with able Sureties enter into sufficient obligation to our Sovereign Lord the King, as shall be appointed and concluded on for his or their performing, and paying according to such Composition and Agreement as shall be made betwixt them, and thereupon such Wintner, Inn-keeper, Victualler, Alehouse-keeper or others so compounding shall be discharged and acquitted from making Entries Weekly, or every fourteen dayes, or having any Gage or Search made of what Beer, Ale, Aqua-vite or Strong-waters, shall be by them made or brewed during the time and term of their Compositions, and of and from all penalties and forfeitures for or concerning all or any of the same, any thing before in this present Act to the contrary notwithstanding.

Excise to be
paid for Li-
quor sold at
Fairs &c.

That all persons selling and retailing Beer, Ale, Aqua-vite or Strong-waters onely in places where the General Assizes or Quarter-Sessions shall be kept, during the time of the Assizes or Sessions, or at any Fair or Fairs during the time of Fair or Fairs, shall upon the place pay the Excise of such Beer, Ale, Aqua-vite or Strong-waters, except the same were brewed by any common Brewer before they draw

or tap the same, unto such Sub-commissioners or other Officer for Excise, as shall be appointed, then and there to receive and demand the same. And if any person shall neglect or refuse doing thereof, such Sub-commissioners or other Officers shall and may seize and detain in his or their Custody such Beer, Ale, Aqua-vite or Strong-waters, until such person pay and clear the Excise of the same.

That no Vintner, Inn-keeper, Victualler, Alehouse-keeper or other persons as aforesaid, having compounded or given Bond for En-^{Penalty on compounders &c.}try or Payment of his or their Excise, shall vend or dispose of any their Beer or Ale to any other House-keeper, Victualler or other per-^{bending or buying &c.}son by the Barrel, Half Barrel, Kilderkin, Ferkin or Gallon, for his or their private expence or consumption, or otherwise, to be by them retailed, upon pain that every such House-keeper, Victualler or other person, buying or receiving such Beer or Ale from such Vintner, Inn-keeper, Alehouse-keeper or other person, shall pay double the Excise for all such Beer or Ale so by him or them bought and received, and in default of such payment both Vintner, Inn-keeper, Victualler, Alehouse-keeper and other persons selling, as also every House-keeper, or other person buying and receiving such Beer or Ale, shall be equally liable to the forfeiture of Forty shillings a piece, to be levied by distress, as hereafter is mentioned.

That all Vintners, Inn-keepers, Victuallers, Alehouse-keepers, or other persons selling Beer or Ale by retail, shall either wholly brew ^{Penalty for not wholly brewing their own drink.}and make their own Beer and Ale, or take the same from some common Brewer, and that every Vintner, Inn-keeper, Victualler, Alehouse-keeper or other as aforesaid, doing otherwise by brewing part of his or their Beer and Ale, and taking other part from a common Brewer, shall be liable and pay Excise nevertheless, as if he or they had themselves brewed all and every part thereof, upon pain of forfeiting all such Beer or Ale which he or they shall take from such common Brewer, or else the value thereof to be levied by distress, as hereafter is directed.

Provided alwayes, and be it Enacted, That no Distress made or taken by virtue of this present Act, of the Goods and Chattles of any Vintner, Inn-keeper, Victualler, Alehouse-keeper or other brewing, ^{Distresses not to be sold within 14. days}making and selling by retail any Beer, Ale, Aqua-vite or Strong-waters, shall be sold or disposed of until fourteen dayes after any such Goods or Chattles shall be distrained, and within that time any such Vintner, Inn-keeper, Victualler, Alehouse-keeper or other person as aforesaid, finding him or themselves grieved, shall or may make his or their complaint unto One or more of the next Justices of the Peace, who upon such complaint to him or them made by such party or parties, are hereby authorized and required to hear and examine the same upon Oath, which Oath any One or more of the said Justices are hereby authorized to administer and finally to determine the matter of complaint, and to mitigate any fine, penalty, forfeiture inflicted or imposed upon any such person by this present Act, so as by such Mitigation the same may not be made less than double the value of the Duties of the Excise which should or ought to have been paid, besides the reasonable Costs and Charges of the Officer or Officers distraining, to be allowed by the said Justice or Justices, nor the party complaining receive encouragement to continue the practice of any fraud, Deceit, Obstinacy or Disobedience in breach of any clause or article of this present Act.

Provided nevertheless, that if any person distrained, and complain-^{But then may.}

ing as aforesaid, shall not prosecute his or their complaint unto an Hearing and Sentence before the said Justice or Justices within the aforesaid time of fourteen dayes, that then the said Commissioners or their Sub-commissioners respectively, shall and may proceed to the Sale and Disposall of the Goods and Chattles distrained in such manner as they or any of them may lawfully do, and in all other Cases of Distress, and as hereafter in this Act is mentioned and expressed.

A Chief ex-
cise Office
to be kept in
Dublin by
five Com-
missioners
and a Sur-
veyor all ap-
pointed by
the Lord
Lieutenant

And for the more regular and orderly putting in Execution of this present Act, Be it Enacted and Ordained by Authority aforesaid, That there be an Office constituted and erected in the City of Dublin, to be called and known by the Name of The Office of Excise, or New Im-
post; and to be managed and governed by Commissioners, not exceed-
ing five in number, and also a Surveyor; all to be appointed by the Lord Lieutenant, Lord Deputy, or other chief Governour or Governours of Ireland for the time being, and to be commissioned under the Great Seal of this your Majesties Realin, to have and to hold to them respectively during their good behaviour respectively, which said Commissioners, or any three or more of them, shall have power, and are hereby authorized from time to time, with the approbation of the Lord Lieutenant, Lord Deputy, or other chief Governour or Governours of Ireland for the time being, to chuse and appoint such fitting Clerks, Searchers, Waiters, Messengers, and all other Officers, for the City, Suburbs and Liberties of Dublin, and the Port of Dublin, and the several Creeks and Members thereof, as they may necessarily have occasion to imploy for the advantage of your Majesties Service, & the same again from time to time with the approbation aforesaid, to dis-
place and place others in their Rooms, and to allow them and every of them such several yearly Wages to be paid quarterly out of the Re-
ceipts of the said Office, and other accidental rewards for their pains and service, as the said Commissioners, or the major part of them shall think fit and reasonable, and as shall be allowed and approved of by the Lord Deputy, or other chief Governour or Governours of Ireland for the time being, as aforesaid, and for all the other Cities, Counties and Ports of this Kingdom, and the several Creeks and Members thereof, excepting the City, Suburbs and Liberties of Dublin, and the Port of Dublin, and the Creeks and Members thereof.

Lord Treas-
urer may
chuse inferi-
or Officers

That the Lord Treasurer of Ireland for the time being shall have power, and is hereby authorized from time to time to chuse and ap-
point such fitting Clerks, Searchers, Waiters and Messengers, as they may necessarily have occasion to imploy for the advantage of your Majesties service and the same again from time to time to dis-
place, and place others in their Rooms, and to allow them and every of them such several yearly Wages to be paid quarterly, out of the Receipts of the said Office, and other accidental Rewards for their pains and service, as the said Lord Treasurer shall think fit and reasonable, and as shall be allowed and approved of by the Lord Deputy, or other chief Governour or Governours of Ireland for the time being, as aforesaid.

All to take
the Oath of
allegiance &
supremacy
and the fol-
lowing oath.

That the Commissioners of the Excise for the time being, are here-
by appointed to be Governours, and Chief Commissioners of and for the said Office: Which said Commissioners, and all others from time to time, as shall be employed under them, shall before they en-
ter upon their respective Employments, take the oath of Suprema-
cy prescribed by the Statute made in Ireland, in the Second year of the

the Reign of the late Queen Elizabeth, and the Oath of Allegiance prescribed by Statute in England, made in the time of the late King James; and likewise the following Oath *mutatis mutandis*, for their true and faithfull performance of their respective Trusts, viz.

YOu shall swear to be true and faithful in the place of Commissioner, Sub-commissioner, Collector, &c. for the Excise, during the time you shall be a Commissioner, Sub-commissioner, Collector: You shall according to the best of your knowledge, power and skill execute the same diligently, faithfully and impartially: You shall make and deliver a true Accompt of all your Receipts from time to time, and further do all things without having any private respect to your self in prejudice of his Majesties Revenue.

So help you God, &c.

Which Oath the Lord Chief Baron of his Majesties Exchequer is hereby authorized to administer unto the said Commissioners, and the said Commissioners or the major part of them, unto all other imployed under them.

That all Parishes, parts and places of the City and County of the City of Dublin, and County of Dublin, and all and every the Baronies, parts and places of the same, shall be subject to the Rule and Government of the said Office.

That the like Office and Offices, and so many of them, and in them such or so many subordinate Commissioners, Sub-commissioners or Collectors, or subordinate Commissioners, Sub-commissioners or Collectors from time to time shall be nominated and appointed in all or any of the Counties of this Realm, and in all other Cities, Towns, Ports and places thereof, as the said Commissioners, or the major part of them, shall from time to time think fitting to be approved of by the Lord Lieutenant, Lord Deputy, or other Chief Governour or Governours, and privy Council of Ireland for the time being.

Which said subordinate Commissioners, Sub-commissioners or Collectors shall take the like Oath as aforesaid respectively before the Lord Chief Baron of his Majesties Exchequer, or before the said chief Commissioners or any two of them, or before any of his Majesties Justices of the Peace, which Oath the said Lord Chief Baron, Justices and Commissioners are hereby authorized to administer the same accordingly, and every the said subordinate Commissioners, Sub-commissioners or Collectors, so to be appointed as aforesaid, shall enter into Recognizance with good Security to his Majesties use, in such sum or sums of money as shall be thought fit and reasonable before the Lord Chief Baron of his Majesties Exchequer, with condition for the due execution of his or their places, and paying monthly all moneys by him or them received for Excise, their own and Officers Salaries, and other contingent charges first deducted, and accounting quarterly into his Majesties Exchequer at Dublin.

And the said Commissioners, subordinate Commissioners, Sub-commissioners or Collectors shall have for their several pains in and about the said businesses, such reasonable sums of monies allowed them by way of Woudage or otherwise, as the Lord Lieutenant, Lord Deputy, or other chief Governour or Governours and privy Council of Ireland shall think fit.

That the said Office or Offices in all places where they shall be appointed, shall be kept open all dayes except the Lords Day, or Holy dayes, in all places from Nine of the clock to Twelve in the forenoon,

H h h h h

and

Before whom.

Extent of the head Officers Jurisdiction.

Order the like Offices to be managed by sub-commissioners else where.

who are to give security and take and administer the said Oathes as aforesaid.

if Colours shall be used

Their salaries.

Times of attendance

and from Two of the clock till five in the Afternoon of each day, for the taking and inregistring the Entries of all Merchants, Retailers, Brewers and others, and for the receiving all Monies which shall be due and payable by all or any of them, and for other things necessary to be done, touching the business of Excise, and affaires relating thereunto.

That the several Surveyors, Searchers, Waiters and all other Officers which shall from time to time be deputed or appointed thereunto by the said chief Commissioners under the Hands and Seales of them, or the major part of them, in the several Ports, Creeks, Havens, and other Members of the same within this Realm, shall have full Power and Authority to go on board and enter into any Ship or other Vessel whatsoever, as well by night as by day, arriving and coming into any the several Ports, Havens, Creeks or other Places, and not onely to continue there on board until such Ship or other Vessel shall be fully unladen and discharged, but also by night as by day to enter as well into all other Ships, Gallies, Barges, Boats, Bottoms, or other Boats or Vessels whatsoever, as in the day time, to go and enter into all Houses, Cellars, Vaults, Shops, Ware-houses, Store-houses, Store-cellars, or other places belonging to any person whatsoever, where they shall have just cause of suspicion, to see, surbey, and make search for any Goods or Commodities Excisable, either put on board any Ship or Vessel, or taken out or carried away, or intended to be carried away without due Entry first had and made of the same, or payment of such Excise as shall be due and payable thereupon, and the said Goods, as also all other Goods Excisable, and Merchandize whatsoever, which they or any of them shall meet, find or discover to be carrying or conveying either by Land or by Water, at unlawful hours or times, or before due Entry or Payment had or made for the said Goods or Merchandizes, or which shall be landed or attempted to be landed and laid on shore at any unlawful place or places, for landing Goods, as in and by this present Act is before declared, or without licence or sufferance granted by the said Commissioners, or their Sub-commissioners or Collectors respectively, for the landing or shipping the said Goods or Merchandize, to seize, attach, carry away and put into safe custody, by bringing or causing them to be brought to the Office for Excise, next adjoining to the place where such Goods shall be so seized, there to be detained and kept.

Which if
not claimed
within 21
dayes may
be sold.

And in case the said Goods and Merchandizes so seized, shall not be claimed by the true and lawful Owner or Proprietor thereof, or by One deputed under his or their hands, within One and twenty dayes after seizure, the said Goods shall be absolutely forfeited and confiscated, and shall and may be sold at the next general day of sale to be appointed by the Commissioners of Excise, or their Sub-commissioners respectively, after that time, and the proceed to be divided as hereafter in this present Act is directed and appointed.

As also if
not duly en-
tered &c.

And in case such Goods or Commodities so seized, shall be claimed within time aforesaid, and if the Owner or Claimer as aforesaid, shall not make it appear unto the said Commissioners of Excise, their Sub-commissioners or Collectors respectively, or unto the major part of them, or either of them, that the said Goods and Merchandizes so seized, were or have been duly entered or unladen, and landed at a lawful time and place as aforesaid, or that licence or sufferance had

hath been obtained and granted for doing thereof, that then the said Goods and Merchandise shall likewise be forfeited and confiscated, and sold and disposed of as hereafter in this present Act is directed and appointed.

And if it shall so happen, That any Master, Owner or Commander of any Ship or Vessel, or any other person whatsoever, shall refuse to permit, or will not suffer any the aforesaid Officers to enter or come into, or remain on board his or their Ship, Gallie, Schoone, Barque, Bottom, Boat or other Vessel, or into his or their House, Cellar, Vault, Shop, Ware-house, Store-house, or Store-cellar, or other place or places, to search as aforesaid, or else permitting them or any of them so to do, shall oppose, hinder or resist them or any of them, in the seizing, attaching, or carrying away any Goods and Merchandise for the Causes and Reasons aforesaid, shall for every such Offence forfeit Fifty pounds, to be levied by Distress, as hereafter is appointed. Or if any Porter, Car-man, Water-man, or other person or persons whatsoever, shall be aiding, assisting, or abetting to any other that shall oppose, hinder or resist the said Officers, or any of them, seizing, attaching, or carrying away any Goods or Merchandise as aforesaid, or if any person usually employed as Porter, Car-man or Water-man, to carry, remove or remove Goods, shall (if required thereunto by any such Officer or Officers) refuse to carry, load and drive away any Goods and Merchandise seized or attached as aforesaid, to the Office for Excise next adjoining to the place where the said Goods shall be so seized and attached as aforesaid, reasonable satisfaction being tendered and allowed them for their pains therein, every such person shall for every such offence forfeit Ten pounds to be levied by distress, or in default thereof, the said offenders to be otherwise proceeded against, as hereafter is directed and appointed.

Penalty
on refusers
of entrance
or assistance.

That for the better accounting with the Merchants Importers, whose Goods, Commodities or Merchandise are not liable to Excise until sale of the same, the said Commissioners, their Sub-commissioners or Collectors respectively in their several Offices, shall frame and keep a distinct and several accounts by the name of an Import Account, with all and every such Merchants whose several and respective Accounts shall constantly from time to time be reviewed and charged with the rest or remainder of all such Goods and Commodities as shall be remaining in his or their hands, at or upon the first and twentieth day of December, One thousand six hundred fifty six, as is before mentioned, and with the several Entries of Goods which he or they shall make for any Goods or Merchandise Intwards from beyond the Seas, or from the Coast, and again enumerated and discharged by what shall appear in the Excise Books to have been paid upon the sale and delivery of all or any of the said Goods or Merchandise, and by the several quantities of all or any of them which shall be shipped out and landed beyond the Seas, or else in any other Port or Haven of this Realm, and there entered, of which he or they shall make Oath, and all things else appearing by Certificate or otherwise to be done with the Sub-commissioner or Collector there, as is by this Act directed and appointed to be done, upon the Importation of all Goods, and Merchandise Excisable from any Ports beyond the Seas.

Distinct accounts to be kept with Merchants capable of an Import account.

Provided alwayes, and it is hereby declared, intended and Enacted,

h h h h h 2

ered,

are to pay
down for
goods sent
by Land-
carriage.

cted, That for all Goods which shall be sent by Land carriage or otherwise by any such as Merchants aforesaid, into the Country, or unto any City, Town, Borough or place whatsoever, other then the Ports and Members thereof, in this Realm, and there entered as aforesaid, every such Merchant upon his accounting with the said Commissioners, Sub-commissioners or Collectors, shall make good the Excise of all such Goods and Merchandises by payment of the Excise of the same himself, and is therefore to be allowed him by the buyer in the price of his commodity, any thing before in this present Act in any manner of wise to the contrary notwithstanding.

And balance
their Ac-
counts once
in three
Months.

That the Commissioners of the Excise and their Sub-commissioners or Collectors respectively in their several and respective offices on every three moths without fail, or oftener if they shall see cause, shall take care for the ballanceing and adjusting of the Merchants their import accounts, by calling and requiring them and every of them, to bring & deliver to them respectively a particular account of all goods & merchandizes excizable which shall be remaining then on his or their hands, at the time he or they shall be so called upon or required, & if any such merchant importer or other person, shall upon notice given him or them, or upon notice or summons left at his or their usual place of abode or habitation, warning him or them thereunto, refuse or neglect to give in such account for the space of foure dayes after such notice, warning or summons as aforesaid, every such Merchant or Importer shall be presently lyable to payment of the full Excise of all goods that shall be found to stand charged in the Excise Books on his or their Import account, by his and their rest and remainder as aforesaid, and his or their entries of goods upon Importation, which have not been discharged or cleared by payment of Excise or Shipping out of such Goods, and accordingly adjudged and warned by Summons as aforesaid, or otherwise to pay the same within six dayes next after following at furthest, or in default thereof, every such Merchant importer shall not only forfeit double the value of all such Goods as shall be found wanting, resting or remaining on his import account, to be levied as hereafter is mentioned, but shall ever after be incapable of taking up any goods or commodities excizable in any port of this Realm, either for his own or any others use, without payment down of the Excise of such Goods as if he were a Shop-keeper, Retailer or Consumptioner of the same: But if such Importer shall upon demand, or within four days after give in such account, as aforesaid, then the said Commissioners of Excise, their Sub-commissioners and Collectors shall forthwith appoint one or more Officer or Officers to enter into all the Cellars, Ware-houses, Store-houses, Store-cellars and other places whatsoever belonging unto such Importer, to search, see and try by taking an account of the Quality and Quantity of the goods and Merchandises therein remaining, whether such Importers remainder do agree with his account or no, and to make report thereof unto the said Commissioners, Sub-commissioners or Collectors respectively, which report of such Officer or Officers in case of difference betwixt the Remainder and account of such Merchant shall be reputed taken and esteemed for the true and just Remainder, according to which the said Commissioners, Sub-commissioners or Collectors shall proceed in making up his account, and then such Merchant making Oath before the said Commissioners, Sub-commissioners or Collectors respectively, that the Goods and Merchandises

And make
oath as to
the goods re-
maining in
his Custody.

diles remaining viewed and seen by the Officer or Officers aforesaid, and
 all other goods shipped out by him, by which his account is to be dis-
 charged, were all and every part and parcel of them such Goods and
 Merchandises, as had been Bonafide formerly imported by himself, and
 entered in the Excise-office, and there charged on his proper Import
 account, and that the said Goods and Merchandises should remain-
 ing had not been sold or altered either directly or indirectly in their
 property, since their first Importation and bringing in of the same in-
 to this Realm, the said Commissioners, Sub-commissioners, and
 Collectors respectively, allowing upon the account such Remainder,
 and also such other Goods and Merchandises which such Merchant
 shall at any time betwixt the times of his accounting have shipped out
 and landed in any part beyond the Seas, or shipped out, landed and
 entered in any other Port or Member thereof in this Realm, shall have
 power to adjust his account to that day, & to receive Excise presently of
 him for so much Goods & Merchandises as shall be found wanting on
 his account without any further penalty, any thing before in this Act
 to the contrary notwithstanding: And so go on to the framing of a
 new Import account with him from the whole remainder stated and
 agreed on as aforesaid, without demanding any Excise till he sell or
 dispose thereof, but if any Merchant as aforesaid shall refuse to per-
 mit any Officer or Officers to enter into & search his or their Cellars,
 Ware-houses, Store-houses, Store-cellars, & other places, & to take an
 accompt of the quality and quantity of his or their Goods therein re-
 maining, every such Merchant shall for every such refusal forfeit one
 hundred pounds; and if permitting entrance and search as aforesaid
 shall nevertheless afterwards refuse to make Oath that the goods and
 Merchandises viewed and seen by, and shewn unto the Officer or Offi-
 cers as aforesaid, or by him shipped out as aforesaid, were all of them
 imported by himself, or for his account from beyond the Seas, and en-
 tered upon his Import account in the Office of Excise, and without
 alteration of property, all and every such Goods shall be esteemed and
 reputed the Goods & Merchandises of some other than such Merchants,
 and therefore not at all to be reckoned in discharge of his accompt, and
 if such Merchant shall make Oath, and yet shall neglect or refuse for
 five days following after the doing thereof, to pay and satisfy such Ex-
 cise as shall be due or payable thereupon, every such Merchant his bond
 given upon entry of those goods which shall be found wanting shall
 be returned into the Exchequer, there to be prosecuted according to the
 course of Law, & shall not afterwards upon his or their Importation of
 goods into any port of this Realm be permitted to take up, land or
 lay on shore his or their Goods before payment down of their full Ex-
 cise unto the officer appointed to receive the same at the port where such
 his Goods shall arrive or be brought in.

That the Commissioners, Sub-commissioners or Collectors of Commis-
 Excise respectively in the Limits and Districts of their several respec-
 tive offices, or the Major part of them, where there are or shall be
 more than one Sub-commissioner and collector, or else such other
 persons, or the major part of them as shall be authorized thereunto, Oath and
 together with such Subcommissioners or Collectors under the Hands
 and Seals of the said Commissioners, or the major part of them, are
 hereby authorized and required to hear and determine all offences and
 Breaches of any clause or article in this present Act mentioned, other
 than such as are or shall be otherwise by this present Act appointed;

Iiiii

which

One hundred
 pounds
 to be
 forfeit

one is a c.
 power to
 hear, exa-
 mine upon
 Oath and
 give sen-
 tence on
 persons of
 ending.

which said Commissioners, Sub-commissioners and Collectors or others, authorized under the hands and seals of the said Commissioners or the Major part of them, are hereby authorized upon any notice, complaint or information, to proceed to examination of the matter of fact, by summoning or causing parties and witnesses to be summoned to appear before them, by causing summons in writing under the hand of their Clerke or other officer thereunto appointed, to be left at the usual place of abode or habitation of such parties or witnesses, and to examine such witnesses upon Oath in the presence of the party accused, if such party accused do appear, and in case any person or persons duly warned as aforesaid to be a witness and give testimony, shall wilfully neglect or refuse to appear, or else appearing shall refuse to make Oath for discovery of his knowledge concerning the matter in question, or else making Oath and refusing to answer to such questions and interrogatories as shall be demanded of him touching the matter in question, every such person shall for every time so Offending forfeit Ten pounds to be levied by distress: And in case the party accused being summoned, shall wilfully neglect or refuse to appear, the said Commissioners, their Sub-commissioners and Collectors respectively, or such as shall be authorized together with one of them as aforesaid, are hereby authorized to proceed as if he had been present, and defending himself against the complaint or information to examination of matter of fact, and any offence or breach of any clause or article in this present Act mentioned, being proved by the voluntary confession of the party, or by the oath of one or more credible witnesses or witnesses, the said Commissioners, their Sub-commissioners, Collectors or others as aforesaid, are hereby authorized to give Judgement and Sentence accordingly, as in and by this Act is directed and appointed; and afterwards to issue Warrant of Distress under the hands and seals of them, or the major part of them, for levying of any forfeiture, fine or penalty inflicted or imposed by this present Act, by distraining so much of the goods and chattles of the party against whom Judgement and sentence shall be given as aforesaid, as may be sufficient to satisfy any such forfeiture, fine or penalty, and if any goods and chattles so distrained, shall not be redeemed within six days following, except before excepted, it shall and may be lawfull unto the said Commissioners, their Sub-commissioners, Collectors and others as aforesaid to put the same to sale, in such manner as is hereafter directed.

Surplusage
of distresses
to be resto-
red.

And if such Distress be better or more than will satisfy such forfeiture, fine or penalty, the said Commissioners, Sub-commissioners, Collectors and others shall render and restore the Surplusage to the party whose goods or chattles shall be so distrained, if there be any; if less than will answer the same, the party shall forthwith pay the Surplusage, or be distrained again.

For want
of distress
Offenders
may be com-
mitted to
prison.

But if sufficient Distress can be had or obtained, upon proof made thereof before the said Commissioners, Sub-commissioners, Collectors or others, they the said Commissioners, Sub-commissioners, Collectors and others, shall and may by Warrant under the hands of them, or the major part of them, commit the party offending to prison, there to remain until he pay and satisfy the forfeiture, fine or penalty imposed on him, or until he be discharged and released thence by warrant or direction of the said Commissioners, Sub-commissioners, Collectors or others as aforesaid, who-

committed him, or else by Warrant or Order of the Lord Lieutenant, Lord Deputy, or other chief Governour or Governours and Privy Council of Ireland for the time being, as hereafter is appointed.

That for want of Distress to be had to satisfy any Forfeiture, Fine or Penalty imposed by this present Act, not exceeding Ten pounds, it shall and may be lawful to the said Commissioners in the City and Port of Dublin, and to the Sub-commissioners and Collectors in any other Port of Ireland, together with a Justice of Peace, or other chief Magistrate of any Corporation-Town, to commit the party offending to the next Goal or House of Correction, there to be put to work and labour, if they be able, and to have such and so much allowance as they shall deserve by their own labour and work, during such time as they shall continue in the said Goal or House of Correction, which shall not exceed the space of Six weeks; and all Jailors and Keepers of any Prison, and all Governours and Masters of any House of Correction are hereby authorized and required to receive and keep in safe custody, and put to work and labour all such persons as by Warrant of the Commissioners of Excise or their Sub-commissioners or Collectors, and the said Justices of Peace or chief Magistrate as aforesaid, shall be from time to time committed unto their several Goals, Prisons, or Houses of Correction, for which Prisoners so committed to Goal, all Sheriffs respectively shall be responsible; and if any Sheriff, his Deputy or Deputies, shall make replevin or deliverance of any Distress or Distresses taken by virtue of this present Act, or if any Sheriffs, Goaler, Governour or Master of any House of Correction, shall refuse to receive and set on work such persons, or shall permit or suffer any person or persons to him or them committed as aforesaid to escape out of his or their custody, or permit him or them to go forth out of Prison or House of Correction, without Warrant or Order in writing from him or them that committed such person, or that as well before as hereafter by this Act are authorized to do the same, every such Sheriff, Jailor, Governour, Master or other Officer aforesaid, shall forfeit double the value of every sum or sums of money for which such person was or shall be committed to him or them as aforesaid, the same to be levied by distress and sale of the goods and chattles of such Sheriff, Deputy or Deputies, Jailor, Governour or Master of any House of Correction, as before in this present Act is directed and appointed.

Provided always & be it enacted by authority aforesaid, that this Act nor any thing therein contained shall not extend to charge any person or persons with any penalty, forfeiture and punishment for and concerning any Offence to be done contrary to the tenor of this Act, or of any the articles or branches of the same, unless he or they so offending, be informed against, or complained of to the said Commissioners, their Sub-commissioners, or Collectors within six months after the same offence shall be done and committed as aforesaid, any thing contained in this Act to the contrary notwithstanding.

And provided always, that if any difference or other matter of controversy or difficulty happen to arise between any Merchant, Trader or Dealer, and the said commissioners, Sub-commissioners, Collectors or other Officers, or if any person or persons shall judge him or themselves aggrieved or injured with any manner of proceedings to be had, made or done by the said Commissioners, Sub-commissioners, Collectors or other Officers that it shall & may be lawful for every such person

Or house of
Correction
if the forfei-
ture exceed
not 10 l.

Provided
information
be given
within
six months

But all
judgments
to be subject
to the cog-
nizance of
the com-
missioners
of appeals.

or persons to make his appeal unto the Lord Lieutenant, Lord Deputy or other chief Governour or Governours and privy Council of Ireland, or such as they shall appoint by Commission under the great Seale, which Commissioners shall take the Oath following, viz.

YOu shall be true and faithful in the place of Commissioner for Appeals, you shall in all things execute the same impartially, without any respect, favour, reward or affecti-
on to any person whatsoever.

So help you God.

who upon
application
to them
made, may
reverse sen-
tences and
mitigate
fines &c.

Which said Oath the Lord Chief Baron is hereby authorized to administer, and the said Commissioners for Appeals or the major part of them are hereby authorized and impowered to receive all or any Appeals that may or shall be made from the said Commissioners, Sub-commissioners, Collectors or others, and to send for parties and witnesses, and all manner of papers and writings belonging to any case brought before them, and to examine upon Oath, and to hear and determine all such Appeals matters in difference, and thereupon to confirm or reverse all Judgments and Sentences given by the said commissioners, sub-commissioners, Collectors or others as aforesaid, against any person & by warrant under their, or the major part of their hands, to discharge, release and set at liberty, any person committed to prison, or any house of correction by the said Commissioners, Sub-commissioners or Officers, and further from time to time to mitigate and abate all fines, penalties and forfeitures, set, imposed and adjudged by them or any of them, by virtue of this present Act, as to them shall seem meet, and as shall be according to equity and good conscience.

Provided alwayes, That in the mitigating such Forfeiture, fine or penalty, care be had that the informer or prosecutor may be duly encouraged for his care, pains and discovery, according to the nature and quality of the fraud, had, used and discovered.

Commis-
sioners of Ex-
cise may
give in-
structions
to; and
punish misde-
meanors of
inferior
officers

That the said Commissioners of Excise, or the major part of them, shall have power and authority to frame, make and give such instructions from time to time unto their severall and respective Officers employed under them, as shall be most for the true and orderly putting in execution of this present Act, so as the same be first allowed and approved of by the Lord Lieutenant, Lord Deputy, or other chief Governour or Governours and privy Council of Ireland, and such officer or officers as shall not give due observance unto such instructions, or shall be wilfully negligent, remiss, careless or unfaithful in the execution of his or their trust and employment, the said Commissioners or the major part of them, shall punish all and every such Officers by fine, not exceeding double the value of his or their yearly salary or wages, and to forfeit his office or employment, the fine to be levied by distress, or in default thereof such Officer or Officers to be proceeded against as aforesaid.

They and
the sub-com-
missioners
&c. may
administer
Oaths.

That the said last before mentioned Commissioners, or any one of them, their Sub-commissioners, Collectors and all others authorized thereunto by Commission under their hands and seals, or under the hands and seals of the major part of them respectively, shall and have hereby power to administer all such Oath or Oathes as in all and every





every case in this present Act is required and appointed to be made and given, other than such as are appointed otherwise to be administered.

And if any person or persons shall from and after the said five and twentieth day of December, One thousand six hundred sixty one, unlawfully or corruptly procure any witness or witnesses, by reward, promise, or any sinister and unlawful means whatsoever, to commit any wilful or corrupt perjury in any matter, cause or thing, which by virtue of this present Act shall depend or come before the said Commissioners for Appeals or of Excise, their Sub-commissioners or Collectors, by complaint or information, or if any person or persons either by Subornation, unlawful procurement, sinister perswasion or means of any others, or by their own Act, consent or agreement, from and after the said five and twentieth day of December, One thousand six hundred sixty one, wilfully or corruptly commit any manner of wilful perjury, by his or their depositions before the said respective Commissioners, or their Sub-commissioners or Collectors, or any of them in any matter before mentioned, every such Offender or Offenders shall for his or their said offence, being thereof lawfully indicted and convicted, lose and forfeit such sum and sums of money, and further shall be proceeded against, set and put in the Pillory, as in and by one Statute made in this Realm in the Eighth and twentieth year of the Reign of the late Queen Elizabeth, is enacted and ordained, and the Justices of Assize and Goal Delivery, in their several circuits, and the Justices of Peace in every County within this Realm at their Quarter-Sessions, both within Liberties and without, shall have full power and authority by virtue hereof, to inquire of all and every the defaults and offences last before-mentioned, by inquisition, presentment, bill or information before them exhibited, or otherwise, lawfully to hear and determine the same, and thereupon to give Judgment, award, process and execution of the same, according as in and by the said Statute is directed and ordained.

That if any Goods distrained in pursuance of this present Act shall not be redeemed within six days, except before excepted, or if any Goods seized, shall not be claimed or cleared within one and twenty dayes after, as aforesaid, the Commissioners of Excise, their Sub-commissioners and Collectors respectively appointing a general day of sale, and giving publick notice thereof, shall cause the said Goods to be appraised by two sworn Officers or others, and afterwards sell and dispose of the same by the candle unto such person as shall bid or give most for the same, and all sales so made of any Goods seized or distrained, shall be good in Law to all person and persons buying the same.

That all seizures, fines, forfeitures and penalties mentioned in this Act, all necessary charges for recovery thereof being first deducted, the same to be rated and allowed of by the Commissioners of Excise, their Sub-commissioners or Collectors respectively, the moiety or one half part of the remainder of such fines, forfeitures and penalties shall be to the use of his Majesty, his Heirs and Successors, and the other moiety or one half part to him or them that shall seize or discover, or give information of, and prove any breach of any clause or article of this present Act.

Provided always, and be it declared, That in case any person or persons subject to any fine, or penalty, or forfeiture, who is not a principal, but an abettor or accessory to any offence or breach of this present Act, shall discover, declare, or make known any such offence or breach of this present Act unto the Commissioners of Excise, their Sub-commissioners or Collectors, who shall be indemnified and have half the forfeiture of the principal.

h h h h h

missio-
pals.

Goods dis-
trained or
seized to be
sold if not
duly claimed

Penalties
&c. how to
be disposed
of.

Accessaries
discov-
ering an offence to
be indemnified and have
half the
forfeiture of
the principal.

millioners or Collectors, every such person shall not only be acquitted and discharged of and from any penalty in relation to himself, but shall have and receive the one moiety of the fines, forfeitures and penalties incurred by any others, whose offence or breach of this present Act he shall so declare and make known, any thing in this present Act before to the contrary notwithstanding.

All Sher-
riffs &c. to
be aiding
and assisting
in execution
hereof.

That for the better and more effectual and vigorous execution of this Act, all Sheriffs, Justices of the Peace, Mayors, Portreeves, Sovereigns, Constables, and all others his Majesties Officers in the several Counties, Baronies, Liberties, Franchises and Jurisdictions of this his Majesties Realm of Ireland, be and are hereby required to be from time to time and at all times aiding and assisting unto the Commissioners of Excise, their Sub-commissioners, Collectors, and all other Officers and persons imployed by or under them, in the due execution of this Act, and punishing all Offenders according to Law, and doing all other things, as in and by this present Act is required to be done by all, every or any of them.

This branch
not to be
leased but
with the fol-
lowing re-
strictions

And his Majesty is graciously pleased that it be Enacted, and it is hereby enacted and declared by the Authority aforesaid, That for the space of seven years next ensuing, there be no lease made by his Majesty, his Heirs or Successors, to any person or persons, or any Authority given as Agent or Agents or otherwise, for granting Licences for any of the premises, otherwise than as by this present Act is appointed, nor after the said seven years, without special advice in that behalf of the Chief Governour or Governours, and six or more of the Council of this Kingdom, and even that not to be without then reserving thereout yearly to his Majesty, his Heirs and Successors, the highest rent yearly thereout, that in any one year of the now next succeeding seven years, the same shall yield to his Majesty, his Heirs or Successors; and if any such lease as aforesaid shall be made of any the premises contrarie to this Act, the same is hereby declared to be void.

And to con-
tinue for e-
ver.

And be it further enacted by the Authority aforesaid, that the several rates and duties of Excise in and by this present Act rated, imposed and set, to be had received levied and demanded within your Majesties realm of Ireland shall be had, received & demanded for the use of your most Excellent Majesty, your Heirs & Successors for ever, & all powers and authorities therein given and granted, shall be exercised, continued and put in execution from the said five and twentieth day of December, One thousand six hundred sixtie one, & thence forthward for ever.

Sterling
money onely
meant by
this Act.

And lastly, Be it declared and enacted by authority aforesaid, That the said several Rates and Duties of Excise, and all Fines, Penalties, Forfeitures, or other sum or sums of money, rated, imposed, set or forfeited in and by this present Act, are meant and intended to be current and lawful money or moneys of England, and that all and every of the same be therefore demanded, received, paid and satisfied accordingly.

A BOOK of RATES and Value of Goods and Merchandize imported, according to which Excise is to be paid by the first Buyer or Importer respectively.

A

l. s. d.

Alom the tun	15 00 00
Ancil of Barbary the pound	00 01 08
Annoto the pound	00 01 06
Argal white and red, or powder the hundred weight containing 112 pounds	01 02 00
Aggats small the hundred dozen	00 13 04
Aggats large the piece	00 00 06
Amber the pound	00 01 08
Alhes called Pot-alhes the hundred weight, containing one hundred and twelve pounds	02 00 00
Alhes called Wood or Soap alhes the hundred weight, containing one hundred and twelve pounds	01 00 00

B

Babies-heads of earth the dozen	00 90 00
Balks { Great the hundred containing 120	20 00 00
{ Midle the hundred, containing 120	06 00 00
{ Small the hundred, containing 120	04 00 00
Gold ballances the groce, containing twelve dozen pair	04 00 00
Ballances { Ounce ballances the groce containing 12 dozen pair	02 00 00
called { The fort containing four dozen	02 13 00
Ballscal- { Tennis Balls the thousand	01 10 00
led { Washing balls the groce, containing twelve dozen	00 10 00
Band strings the dozen knots	03 00 00
Barlings the hundred, containing 120 pounds	12 00 00
Barilla, or Saphora to make glafs the hundred weight containing 112 pounds	01 10 00
Basket rods the bundle	00 08 00
Baskets called hand-baskets or Sports the dozen	00 04 00
Battery Batherons, or Kettles the hundred weight, containing one hundred and twelve pound	06 00 00
Amber the pound	01 00 00
Bone the groce, containing twelve small groce	01 10 00
Box the great groce	01 10 00
Corral the pound	01 10 00
Beads of Chrystal the thousand	03 00 00
Glafs and Wood all forts, the great groce	00 10 00
Glafs the pound	00 02 00
The small groce, containing twelve Dicker	00 04 00
Jasper square the hundred Stones	02 00 00
Beer and Ale imported, the barrel	00 05 00
Bells cal- { Hawkes bells French making, the dozen	00 12 00
led { Dogs bells, the great groce	00 08 00
Blacking, or Lamp-black the hundred weight, containing one hundred and twelve pound	04 00 00
Boards called Clap-boards, the hundred containing one hundred and twenty boards	05 00 00
Bome Spars the hundred, containing one hundred and twenty	03 90 00
Bottles of { Earth covered with wicker the dozen	00 01 06
{ Glafs covered with wicker the dozen	00 03 00
{ Glafs uncovered the dozen	00 03 00
{ Glafs with wires covered with leather the dozen	00 03 00
Bowling stones the bushel	00 10 00
Boxes, namely, Nest boxes the groce, containing twelve dozen nest	02 00 00
Money boxes the groce, containing twelve dozen	00 03 06
Boxes { Drawing boxes the dozen	00 04 00
{ Round boxes or French boxes for Marmelade or Gelly the dozen	00 02 06
{ Tobacco boxes the groce, containing twelve dozen	00 12 00
Bracelets or Necklaces of glafs the small groce, containing twelve bundles or dickers	00 04 00
Bras or Lever cocks the pound	00 01 02
Brickstone the thousand Brickstones	03 13 04
Brick- { Flanders Tyle to scour with the thousand	01 00 00
stones { Gally Tyles the Foot	00 00 06
{ Paving Tyles the thousand	05 00 00
Brimstone the hundred weight, containing one hundred and twelve pound	03 15 00

Brimles	{ Dett the pound	00 01 00
	{ Undrett the pound	00 00 06
Buckrams of	{ East Country the piece	00 05 00
	{ Roan the dozen	03 00 00
	{ Caen the dozen	02 10 00
Bugle	{ Hamborough black the piece	00 10 00
	{ Of glafs the pound	00 02 06
	{ Great the pound	00 04 00
	{ Small or feed bugle the pound	00 06 08
	{ Lace the pound	00 08 00
Buttons of	{ Bruffs, steel, copper or latten, the great groce, containing twelve small groces, } every groce twelve dozen	01 06 08
	{ Chrifital the dozen	00 04 00
	{ Glafs the great groce, containing twelve small groce	00 13 04
	{ Thred the great groce, containing twelve small groce	00 10 00
	{ Silk the great groce, containing twelve small groce	03 00 00
	{ Bugle the dozen	00 00 08
	{ Hair the groce, containing twelve dozen	00 04 00
Handkerchiefs the groce containing twelve dozen		01 00 00
Bullrushes the load		01 00 00
Bars for mil-ftones the hundred, containing five fcore		02 00 00
C		
Cables tarr'd or untarr'd to be free		00 00 00
Candle week the hundred weight, containing one hundred and twelve pounds		04 00 00
Canes the hundred		00 10 00
Canes the groce, containing twelve dozen		00 05 00
Cantfpars the fparr		00 05 00
Capers the hundred weight, containing one hundred and twelve pound		02 10 00
Cap-hooks, or hooks ends the groce containing twelve dozen pair		00 12 00
Cards called playing cards the groce, containing twelve dozen pair		02 00 00
Carpets called	{ Brunfwicks and Gentifh Carpets, ftrip't and unftrip't the piece	00 08 00
	{ Carpets of Turkey for Chefts the piece	01 00 00
	{ Carpets of Turkey or Venice fhorr the piece	01 15 00
	{ Turkey or Venice long, containing four yards and upwards	06 10 00
	{ Carpets of Perfia fhorr the piece	02 10 00
{ Carpets of Perfia long the piece		06 00 00
Chafing difhes of Bruffs or Latten the pound weight		00 01 02
Chefts of	{ Iron fhmall or middle fhorr the piece	04 00 00
	{ Iron large the piece	08 00 00
	{ Cyprus Wood the cheft	05 00 00
Coaches for Children the dozen		00 03 00
Compasses of bruffs and iron the dozen		03 00 00
Copper the hundred weight containing one hundred and twelve pounds		04 00 00
Copperas green the hundred weight containing one hundred and twelve pound		00 10 00
Copperas the hundred weight, containing one hundred and twelve pounds		00 06 08
Cork the hundred weight, containing one hundred and twelve pounds		01 00 00
Counters of bruffs the pound		00 02 00
D		
Deals cal- led	{ Norway Deals the hundred, containing fix fcore	04 00 00
	{ Burgindrope Deals the hundred, containing fix fcore	10 00 00
	{ Spruce Deals the hundred, containing fix fcore	12 00 00
Dialls of	{ Wood the dozen	00 00 06
	{ Bone the dozen	00 05 00
Dimity the yard		00 00 06
Difhes of China	{ Great and fhmall under a quart the dozen	01 00 00
	{ Of a quart and upwards the dozen	03 00 00
	{ Old drapery the yard coming from England	00 00 00
Drapery called	{ Coming from any other parts the yard	08 10 00
	{ New Drapery, to wit, Kerfies Serges, and all other fluffs of wool or mixed } with wool coming from England the yard	00 00 00
	{ From any other parts	02 05 00
	{ Acacia the pound	00 04 00
Drugs cal- led	{ Acorus the pound	00 01 00



Drugs
called

Adiantum Album the pound	00 00 08
Adiantum Nigrum the pound	00 00 06
Agaricus or Agarick the pound, trimmed or pared	00 10 00
Agaricus rough or untrimmed, the pound	00 12 06
Agnus Castus seeds the pound	00 01 00
Alcanet Roots the pound	00 00 09
Alkermes { Syrup the pound	00 03 04
{ Confectio the pound	02 00 00
Aloes Succotrina the pound	00 02 06
Aloes Epatica the pound	00 01 16
Allom Romish or Roach the hundred containing one hundred and twelve pound	01 06 08
Amber greece black or gray the ounce Troy	03 00 00
Ameous seeds the pound	00 00 06
Amomy seeds the pound	00 00 06
Anacardium the pound	00 03 00
Angelica the pound	00 00 10
Antimonium preparatum or Sibium the pound	00 01 00
Antimonium crudum the pound	00 00 02
Argentum sublime, or Lymum the pound, or Quicksilver	00 03 00
Aristolochia longa, or Rotunda the pound	00 00 08
Arsenick white or yellow, or Rosealger the pound	00 00 04
Asarum roots, the pound	00 00 10
Asphalthus the pound	00 01 04
Astascetida the pound	00 11 02
Almonds bitter the hundred weight, containing one hundred and twelve pound	01 07 04
Alumen plume the pound	00 00 08
Balaustium the pound	00 02 06
Balsamum the pound artificial	00 03 04
Basamum the pound natural	02 00 00
Bayberries the hundred and twelve pound	00 13 04
Barly huld or French barly the hundred and twelve pound	01 00 00
Bdellium the pound	00 02 00
Benalbum or Rubrum the pound	00 01 00
Benjamin of all sorts the pound	00 02 06
Bezar stone of West-Indies the ounce Troy	00 04 00
Bezar stone of the East-Indies the ounce Troy	01 15 00
Black lead, the hundred and twelve pound	01 10 00
Balla Byzantia the pound	00 02 00
Bolus communis or armoniacus the hundred weight containing 112 pounds	00 05 00
Bolus verus the pound, or the fine bole	00 01 04
Borax in paste or unrefined, commonly called Tinckull the pound	00 01 00
Borax refined the pound	00 02 08
Bunkins, hollywortles, or pistolochia the pound	00 00 08
Cacao nuts the pound	00 00 09
Calamus the pound	00 00 03
Camphire the pound refined	00 06 08
Camphire unrefined the pound	00 03 04
Cancro oculus the pound	00 03 04
Cantharides the pound	00 04 00
Caraway seeds the one hundred and twelve pound	00 06 08
Cardomomes the pound	00 02 06
Carmo balsami the pound	00 02 06
Carraby or Succinum the pound	00 01 04
Carthamus seeds the pound	00 00 04
Cassia Fistula the pound of all sorts	00 00 06
Cassia Ligna the pound	00 01 00
Castoreum, or Beaver cods the Pound	01 00 00
Cerussa the hundred and twelve pound	01 10 00
China roots the pound	00 03 00
Cieeres white and red the pound	00 00 04
Cyprus longus and rotundus the pound	00 00 04
Cyprus nuts the pound	00 00 04
Civet the ounce Troy	02 00 00

	Coculus Indiæ the pound	00 00 08
	Coloquintida the pound	00 01 06
	Corral white or red in fragments for Physical use the pound	00 01 04
	Corral whole the pound	00 10 00
	Corfu berries the pound	00 02 06
	Coriander seeds the hundred and twelve pound	00 12 00
	Cortex guaiaci the pound	00 00 05
	Cortex capparium the pound	00 01 00
	Cortex tamarisci the pound	00 00 06
	Cortex mandragoræ the pound	00 01 00
	Costus dulcis & amara the pound	00 01 04
	Cubebs the pound	00 00 08
	Cummin seeds the hundred and twelve pound	01 13 04
	Cyclamens roots the pound	00 01 04
	Citrargo the pound	00 00 06
	Cetrarch the pound	00 00 08
	Cinabrum, or Vermilion the pound	00 03 04
	Coperas { white the pound	00 00 05
	{ Blew of Dantzick or Hungary the pound	00 00 02
	Cambogium, or Gutta Gamboæ the pound	00 01 04
	Chrystal broken in pieces for physick uses, the pound	00 03 04
	Carlina the pound	00 00 08
	Carolina the pound	00 00 04
	Cortex winteranus the pound	00 01 04
	Cuscuta the pound	00 00 06
	Daucus creticus the pound	00 02 04
	Diagredium, or Scamony the pound	00 12 00
	Diptam- { Leaves the pound	00 04 00
	ny { Roots the pound	00 01 04
	Doronicum the pound	00 01 08
	Eleborus albus and niger the pound	00 00 06
	Epithemum the pound	00 01 08
called	Es Ulum the pound	00 01 08
Drugs	Euphorbium the pound	00 00 04
	Fennel seeds the pound	00 00 08
	Fenugreek the hundred and twelve pound	01 10 00
	Florey the pound	00 02 00
	Folium Indiæ the pound	00 03 04
	Fox lungs the pound	00 01 04
	Frankincense of France or Parrofin the hundred and twelve pound	00 12 00
	Galbanum the pound	00 02 00
	Galganga the pound	00 01 04
	General the pound	00 01 00
	Gentiana the pound	00 00 04
	GINNEY pepper the pound	00 00 08
	Granna Pinæ the pound	00 00 08
	Green ginger the pound	00 10 00
	Gum animi the pound	00 02 00
	Gum armoniack the pound	00 01 00
	Gum carrana the pound	00 10 00
	Gum tragagant the pound	00 00 09
	Gum elemni the pound	00 02 06
	Gum hedere the pound	00 02 00
	Gum lack the pound	00 01 00
	Gum oppopanax the pound	00 03 00
	Gum sarcocol the pound	00 01 04
	Gum serapinum, or sagapinum the pound	00 01 00
	Gum taccamahacca the Pound	00 10 00
	Gum tinctorum the pound	00 01 00
	Grains of Guinny, or French Grains the hundred and twelve pound	01 04 00
	Gum Arabick, or Gum Seneca the hundred and twelve pound	00 15 00
	Gum sandrack, or Gum Juniper the hundred and twelve pound	01 10 00
	Gum guaiaci the pound	00 03 04

Gum

Drugs
called

Gum caramen the pound	00 02 00
Hermocallus the pound	00 01 02
Hypocistis the pound	00 01 08
Horns of Harts or Stages the hundred weight	02 10 00
Incense or Olibanum the hundred and twelve pound	03 12 00
Ireos the hundred and twelve pound	03 00 00
Ison glass the hundred pound	10 00 00
Jujubes the pound	00 00 06
Jolop the pound	00 04 00
Juniperberries the pound	00 13 04
Labdanum or Labdanum the pound	00 01 04
Lapis calaminaris the pound	00 00 02
Lapis hematitis the pound	00 02 00
Lapis judaicus the pound	00 01 00
Lapis tutia the pound	00 01 00
Lapis lazuli the pound	00 06 08
Leaves of Roses, of violets, or Flowers the pound	00 00 10
Lyntiscus or Xylobalsamum the pound	00 00 08
Lignum aloes the pound	00 10 00
Lignum asphaltum the pound	00 01 00
Lignum Rodium the hundred and twelve pound	00 06 08
Lignum vitæ the hundred and twelve pound	00 10 00
Litharge of Gold the hundred and twelve pound	01 05 00
Litharge of Silver the hundred and twelve pound	01 00 00
Locusts the pound	00 00 08
Lupins the hundred and twelve pound	00 12 00
Lintils the hundred and twelve pound	01 17 04
Lapis contrayerva the ounce	00 03 04
Lignum nephriticum the pound	00 01 04
Mader roots or rubia tinctorum the pound	00 01 06
Manna the pound	00 03 00
Marmalade the pound	00 01 00
Mastich white the pound	00 02 08
Mastich red the pound	00 01 00
Mechoacan the pound	00 02 00
Mercury sublimate the pound	00 04 00
Mercury precipitate the pound	00 05 00
Mithridate Venetia the pound	00 06 08
Milium solis the pound	00 01 00
Mirobalans dry the pound	00 00 05
Mirobalans condited the pound	00 00 08
Mirtle berries the pound	00 00 06
Mummiæ the pound	00 01 06
Musk the ounce Troy	01 10 00
Musk cods the ounce	00 10 00
Mirrha the pound	00 01 06
Nigella the pound	00 00 04
Nittrum the pound	00 01 01
Nutmegs condited the piece	00 00 03
Nux de benne the pound	00 00 09
Nux cupressi the pound	00 00 06
Nux indica the piece	00 01 00
Nux vomica the pound	00 00 08
Nardus celtica, or spica romana the pound	00 01 00
Nux pini, or grana pini the pound	00 00 08
Olibanum, or incense the pound	00 00 11
Opium the pound	00 06 00
Osippium huerredum the pound	00 01 00
Orcant or Aluget the pound	00 00 06
Orange { Oymment the pound	00 02 00
Flower { water the gallon	00 04 00
Origanum the pound	00 00 06
Ossa de corde cervi the pound	00 12 00

Drugs
called

Oyl of Amber the pound	00 12 00
Oyle of Rosemary the pound	00 03 04
Oyle de bay the hundred and twelve pound	02 16 00
Oyle of Mace or Nutmegs the pound	00 15 00
Oyle de Ben the pound	00 05 00
Oyle of Spike the pound	00 01 06
Oyle of Almonds the pound	00 01 00
Oyle of Scorpions the pound	00 02 00
Oleum petroleum the pound	00 01 06
Oleum turpentine the pound	00 00 06
Orabas the pound	00 00 06
Orpment, auripigmentum the pound	00 00 05
Panther the pound	02 00 00
Panis porcinus the pound	00 01 04
Pearl seed the ounce Troy	00 10 00
Pellitorie the pound	00 00 09
Pepper long the pound	00 00 08
Perrosen, vide Frankincense the hundred weight	00 12 00
Piony seeds the pound	00 00 06
Piony roots the pound	00 01 00
Pistachias, or nux pistachia the pound	00 00 06
Pix Burgundy the hundred and twelve pound	00 15 00
Polium montanum the pound	00 01 00
Polypodium the pound	00 00 03
Pomgranate pills the pound	00 00 04
Poppie seeds the pound	00 00 08
Precipitate the pound	00 05 00
Psyllum the pound	00 00 08
Prunellas or pruens of Brunelia the pound	00 00 06
Quick silver the pound	00 03 00
Rhaponticum the pound	00 02 00
Radix Esulæ the pound	00 08 00
Red-lead the hundred and twelve pound	00 18 00
Rhabarbarum or Rubarb the pound	00 16 00
Rosalger, vide arsenick the pound	00 00 04
Rosset the pound	00 00 06
Radix contrayerva the pound	00 01 00
Radix scorcionera the pound	00 02 00
Radix peoniæ the pound	00 00 06
Sal alkali the pound	00 02 00
Sal armoniacum the pound	00 00 09
Sal gem the pound	00 00 06
Sal niter the pound	00 01 04
Sandracha, or gum sandrick the pound	00 00 04
Sandracha or gum Juniperi the pound	00 00 04
Sandiver the hundred and twelve pound	00 09 00
Sanguis Draconis the pound	00 01 00
Sarsaparilla the pound	00 02 00
Saff. fras wood or roots the pound	00 00 02
Sanders white the pound	00 01 06
Sanders yellow the pound	00 02 00
Sanders, red alias stock the pound	00 00 09
Scamonic, vide diagredium the pound	00 12 00
Scincus marinus the piece	00 00 03
Scordium the pound	00 00 06
Scorpions the hundred	00 03 00
Sebestins the pound	00 01 00
Seeds for Gardens of all sorts the pound	00 00 10
S ler montanus the pound	00 00 08
Semen cucumeris cucurb. citrul melon the pound	00 00 08
Sena the pound	00 04 00
Soldonella the pound	00 00 08
Sperma ceti fine the pound	10 00 00

Sper-

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	Spina cæi conte Oyle, the hundred and twelve pound	04 00 00
	Spica cœtica vide nardus celtica, or spica Romana the pound	00 01 00
	Sanguis hirci the pound	00 01 00
	Spicknard the pound	00 04 00
	Spodium the pound	00 01 00
	Sponges the hundred weight	00 05 00
	Squilla the hundred and twelve pound	00 06 08
	Squinanthum the pound	00 05 04
	Stechados the pound	00 01 04
	Staphisager the pound	00 00 05
	Stibium, vide antimonium præparatum, the pound	00 01 00
	Storax calaminta the pound	00 04 00
	Sterax liquida the pound	00 01 00
	Succus liquiritiæ the pound	00 00 09
	Sulphur vivum the pound	00 00 06
	Tamarindes the pound	00 00 06
	Terra lemnia the pound	00 01 00
	Terra figillata the pound	00 01 02
	Thlaspi semen the pound	00 01 00
	Torofal the pound	00 00 08
Drugs	Trochisci de vipera the Ounce Troy	00 02 06
called	Treacle common the pound	00 01 04
	Treacle of Venice the pound	00 06 08
	Turbith the pound	00 02 06
	Turmeric the pound	00 00 06
	Turpentine of Venice, Scio or Cyprus the pound	00 02 00
	Turpentine common the hundred and twelve pound	00 13 04
	Talk white the pound	00 00 06
	Talk green the pound	00 01 00
	Verdegreece the pound	00 01 08
	Vernish the hundred and twelve pound	02 00 00
	Vermillion, vide cinabrium the pound	00 03 04
	Vitriolum Romanum the pound	00 03 04
	Umber the hundred weight containing one hundred and twelve pound	00 11 00
	Viscus quercinus the pound	00 01 00
	White lead the hundred and twelve pound	01 06 08
	Wormseeds the pound	00 03 00
	Zedorea the pound	00 01 04
	Xylobalsamum, vide Lintiscus the pound	00 01 00

E.

Elephants teeth the hundred, containing five score	08 00 00
Emery stones the hundred weight, containing one hundred and twelve pound	00 04 00
Ebony wood the tun	50 00 00

F.

Fans	{ For Corn the piece	00 03 00
	{ For women and children French making the dozen	02 00 00
	{ Of Russia the hundred weight	01 15 00
Feathers	{ Of France, for beds the hundred weight	04 00 00
	{ Of Ostrid- { Black the pound	00 03 06
	ges { White the pound	00 10 00
Fiddles for children the groce		00 18 00
Files the groce, containing twelve dozen		00 08 00
Flax	{ Spruce Muscovia, and all flax undrest forreign, the hundred weight containing	02 00 00
	{ one hundred and twelve pound	
	{ Drest or wrought flax Ditto one hundred and twelve pound	07 00 00
Flower roots the hundred, containing five score		00 05 00
	{ Ermyns the Timber containing forty skins	01 10 00
	{ Badgers skins the piece	00 02 00
Furs	{ Bears { Black the piece	01 00 00
called	{ skins { White or red the piece	00 06 08
	{ Beaver { Whole the piece	00 10 00
	{ skins { Wombs the piece	00 05 00

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white

Budge	White tawed the hundred, being five score skins	02 00 00
	White untawed the hundred containing five score skins	03 10 00
Calabar	Black tawed the dozenskins	01 06 08
	Black untawed, the hundred containing five score skins	02 00 00
Foxes	Poules the fur, containing four pair	01 00 00
	Navern the hundred legs containing five score	03 00 00
Foynes	Rumney the hundred legs containing five score	05 00 00
	Shubs of Calaber, the piece or shub	02 00 00
Grayses	Untawed the Timber, containing forty skins	00 06 08
	Tawed the Timber, containing forty skins	00 08 00
Jennets	Seasoned the pain	01 00 00
	Stag the pain	00 12 06
Letwis	Black skins the hundred containing five score	05 00 00
	Pouls the hundred containing five score	01 00 00
Leopards	Pouls the Mantle	00 06 03
	Wombs the pain or Mantle	00 06 03
Lewxerns	Dockerrers The timber containing forty skins	00 13 04
	Fitches { The timber containing forty skins	01 00 00
Matrons	{ The pain or Mantle	00 12 06
	The Black Fox skin	10 00 00
Miniver	The ordinary skin	00 02 00
	The pain or Mantle	00 15 00
Minks	Wombs pouls or pieces the pain	00 10 00
	Black the dozen	01 05 00
Mould skins	Tails the pain or mantle	00 12 06
	With tails the piece	00 03 06
Otter skins	Without tails the piece	00 04 00
	Raw the piece	00 01 00
Ounces skins	Pouls the hundred, containing five score	01 06 08
	Wombs seasoned the pain or mantle	01 06 08
Sables	Wombs Stag the pain or mantle	00 15 00
	Untawed, the Timber containing forty skins	00 08 04
Whel skins	Tawed the Timber, containing forty skins	00 12 06
	Black raw the skin	00 12 06
Wolf skins	Black seasoned the skin	00 16 08
	Gray raw the skin	00 03 00
Wolverings	Gray seasoned the skin	00 04 00
	Tawed, the Timber containing forty skins	00 08 04
Amsterdam, Holland or Dutch Fustian	Untawed, the Timber containing forty skins	00 06 00
	Skins the piece	01 05 00
Barmilions	Wombs the pain	05 00 00
	skins the piece	02 10 00
Cullen Fustians	The timber containing forty skins	10 00 00
	The pain or mantle	09 00 00
Millian Fustians	Pouls the pain or mantle	00 10 00
	Gills the Timber containing forty skins	00 12 00
Fustians called	Tails the hundred containing five score skins	02 00 00
	Miniver the mantle	00 13 04
Fustians called	Untawed the Timber containing forty skins	03 00 00
	Tawed the Timber containing forty skins	04 00 00
Fustians called	Mould skins the dozen	00 00 06
	Otter skins the piece	00 05 00
Fustians called	Ounces skins the piece	00 12 06
	Sables of all sorts the Timber containing forty skins	30 00 00
Fustians called	Whel skins the dozen	00 00 04
	Tawed the piece	01 10 00
Fustians called	Untawed the piece	01 03 00
	Wolverings the piece	00 15 00
Fustians called	Amsterdam, Holland or Dutch Fustian the piece containing two half pieces of 15 yards the half piece	05 00 00
	Barmilions the piece, containing two half pieces	05 00 00
Fustians called	Cullen Fustians the piece, containing two half pieces	05 00 00
	Millian Fustians the piece containing two half pieces	05 00 00

Fustians called	Naples Fustians, Trap or Velure plain the piece containing fifteen yards	05 00 00
	Of Weazel the piece containing two halfe pieces	05 00 00
	Fustians called James, Millions, barmillions, English the piece containing two half pieces	02 00 00
G.		
Gally dishes the dozen of all sorts		00 05 00
Girdles of Cruel, the groce containing twelve dozen		01 06 08
Girdles	Of Leather the groce containing twelve dozen	01 00 00
	Of Silk the dozen	01 00 00
	Of Velvet the dozen	02 00 00
Glas for windows called	Burgundy white the chest or case	03 10 00
	Burgundy coloured the chest	03 00 00
	Normandy white the case	03 00 00
	Normandy coloured the case	03 00 00
	Rhenish the way or web, containing sixty bunches	03 00 00
Drinking- glasses called	Muscovy glass or flude the pound	00 02 00
	Venice drinking glasses the dozen	00 04 00
	Flanders drinking glasses the hundred glasses containing five score	02 10 00
	French drinking glasses the hundred containg five score	01 00 00
	English drinking glasses, containg five score to the hundred	01 00 00
All other English glasses after halfe rate per centum		
Glasses called	Burning glasses the dozen	00 12 00
	Ballin glasses the groce containing twelve dozen	02 00 00
	Vials the hundred, containing five score	00 10 00
	Water glasses the dozen of all sorts	00 03 00
Looking glasses, Penny half penny ware the groce containing twelve dozen		00 06 08
Looking glasses of	Steel small the dozen	00 05 00
	Steel large the dozen	00 10 00
Hour glasses of Flanders making coars the groce containing twelve dozen		02 00 00
Hour Glasses of Venice making the dozen		02 00 00
Glas stone plates for Spectacles rough the dozen		00 06 08
Glas Pipes	Small the pound	00 02 00
	Great the pound	00 03 00
Globes small the pair		03 00 00
Globes large the pair		06 00 00
Gold foil, the small groce containing twelve dozen		00 04 00
Gravers and pincers the pound		00 01 00
Ditto the dozen		00 03 00
Grain the Scarlet powder the pound		00 04 06
Grinde stones the chaulder		01 10 00
Grocery ware called	Almonds the hundred weight containing one hundred and twelve pound	03 00 00
	Anniseeds the hundred weight, containing one hundred and twelve pound	01 00 00
	Cloves the pound	00 08 00
	Currans the hundred, containing one hundred and twelve pound	04 00 00
	Dates the hundred containing one hundred and twelve pound	04 10 00
	Ginger of the East-Indies or other Foreign Plantations the pound	00 01 04
	Ginger of the English Plantation the hundred weight containing 112 pound	01 00 00
	Liquorish the hundred weight containing one hundred and twelve pound	01 00 00
	Mace the pound	00 15 00
	Raisons of all sorts the hundred weight containing 112 pound	02 03 04
	Nutmegs the pound	00 06 00
	Pepper the pound	00 02 00
	Cinamon the pound	00 03 00
	Figs the hundred weight, containing one hundred and twelve pound	01 10 00
	Prunes the hundred weight containing one hundred and twelve pound	00 15 00
Sugar	Of barbary the hundred weight containing one hundred and twelve pound	03 00 00
	Candy Broun the hundred weight containing one hundred and twelve pound	05 00 00
	Candy white the hundred weight containing one hundred and twelve pound	12 00 00
	Whites of the English Plantation the hundred and twelve pound	05 00 00
	Whites of Lisbon the hundred and twelve pound	05 06 08
	Muscavadoes of the English Plantation, the hundred and twelve pound	01 00 00
	Muscavadoes from elsewhere, the hundred and twelve pound	02 00 00
	Panellis of all sorts, the hundred and twelve pound	00 10 00
	Single or double refined Sugar	07 00 00

H.

Hankerchiefs the dozen	02 00 00	
Hawks of all sorts the Hawk	04 00 00	
Hawks hoods the groce, containing twelve dozen	01 06 08	
Hair called Elks hair for Saddles the pound	00 00 06	
Goats hair the pound	00 02 00	
Heath for Bruthes the hundred, containing one hundred and twelve pound	01 00 00	
Hempseed to be free		
Hemp called Cullen and Steel Hemp, and all other sorts of Drefi Hemp the hundred weight containing one hundred and twelve pound	} 05 00 00	
Spruce Muscovia Hemp the hundred weight, containing one hundred and twelve pound		
Hides called	Buff Hides, the Hide	01 10 00
	Cow Hides of Barbary and Muscovia, the Hide in the hair	00 07 00
	Cow or Horse Hides the piece	00 10 00
	India Hides, the Hide	00 07 00
	Loth Hides the piece	01 00 00
	Red or Muscovia Hides tanned coloured or uncoloured the Hide	00 06 08
Hoops of Iron for pipes or hogheads the hundred weight, containing 112 pound	03 00 00	
Horses, Mares, Geldings or Nags to be free		
Horses of wood the groce, containing twelve dozen	00 05 00	
Honey the barrel	04 00 00	

I.

Jars of China of all sorts the pair		01 00 00
Incle	{ Unwrought the pound	00 01 06
	{ Wrought the dozen pound	02 00 00
Indico to be free		
Indico dust to be free		
Iron cal- led	{ A mys, Spanish, Spruce, Swethish, and all sorts the tun	66 00 00
	{ Oar and Cinders the tun, to be free	
	{ Backs for chimneys, small the piece	01 00 00
	{ Backs for chimneys large the piece	02 00 00
	{ Bands for kettles the hundred weight containing one hundred and twelve pound	05 00 00
	{ Juice of Lemons the pipe	04 00 00

K.

Knives called	Butchers knives the dicker, containing ten knives	00 03 00
	Carving knives the dozen	01 10 00
	Collen knives the groce, containing twelve dozen	10 00 00
	French knives the groce, containing twelve dozen	07 04 00
	Glovers knives the bundle, containing six knives	00 05 00
	Houncides the dozen	03 00 00

L.

Lace cal- led	{	Lace of Gold or Silver, or Silver and Gold, the pound Troy, or Venice weight	20 00 00	
		Silk bone-lace the small pound, containing sixteen ounces of all sorts	40 00 00	
		Silk lace of all other sorts, the pound, containing sixteen ounces	10 00 00	
Lattin black and shaven the hundred		containing one hundred and twelve pound	05 00 00	
Lead the tun		containing twenty hundred pound	06 00 00	
Leather Hangings gilt the piece			04 00 00	
Linseed the bushel, to be free				
Lins the dozen			00 12 06	
Linnen cloth or Canvas called	{	Callicoes fine or course the piece	00 12 00	
		Cambricks	The half piece containing six ells	01 05 00
			The piece containing thirteen ells	02 10 00
			The Packet	02 00 00
	{	Dutch Barras and Hefsons canvas, the hundred ells containing six score	03 10 00	
		French and Normandy canvas and Line, narrow brown or white the hun-	} 06 10 00	
		dred ells containing six score		
		Noyals canvas the hundred ells, containing one hundred and twenty	08 00 00	
		White, French or Normandy canvas broad, the hundred ells, containing	} 10 00 00	
		one hundred and twenty		
French canvas and line broad for tabling, being an ell and half a quarter	} 15 00 00			
and upwards, the hundred ells containing one hundred and twenty				
Packing canvas, Guttings and Spruce canvas the hundred ells containing	03 00 00			
			One	

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called
Lute

Linnen cloth or	Canvas called	one hundred and twenty		
		Poldavis, Spruce, Elbing or Quinsborow Canvas, the bolt containing 28 ells	00 18 00	
		Strip or tufted Canvas with thred the piece, contained fifteen yards	01 10 00	
		Strip Canvas with copper, the piece containing fifteen yards	02 00 00	
		Strip, or tufted, or quilted Canvas with silk, the piece containing 15 yards	00 18 00	
		Vandalose or Vittry Canvas, the hundred ells containing 120	06 00 00	
		Working Canvas of cushions, narrow the one hundred ells containing one hundred and twenty	03 00 00	
		Working Canvas broad the hundred ells containing six score		
		Damask	Tabling of Holland making the yard	00 08 00
			Towelling and Napkinning of Holland making the yard	00 03 00
Tabling of Silesia making the yard	00 04 00			
Towelling and Napkinning of Silesia making the yard	00 01 04			
Diaper	Tabling of Holland making the yard	00 05 00		
	Towelling and Napkinning of Holland making the yard	00 01 08		
	Napkins of Holland making the dozen	01 10 00		
	Of Silesia making tabling the yard	00 02 06		
Lawns	Towelling and Napkinning of Silesia making the yard	00 02 06		
	The half piece, containing six ells and one half	01 10 00		
	The piece, containing thirteen ells	03 00 00		
	Callico lawns the piece	01 00 00		
Flanders linnen cloth	French lawns the piece	01 05 00		
	Silesia lawns the piece containing between four and eight yards	00 10 00		
	Oudnard } And all o-	00 03 04		
	Courtrey } ther sorts of			
	Gentish } Flanders and			
	Ullingham } French lin-			
	Iper } nen white	00 02 06		
	Outnall } the ell.			
	Ullingham and Gentish brown, and all other brown linnen the ell	00 02 06		
	Bag Holland of Holland making the ell	00 06 08		
Holland linnen	Acts } And all o-	00 03 04		
	cloath } the cloath			
	Brabant } of Holland			
	Embden } the ell			
	Freefe } the ell	00 03 04		
	Gulick }			
	Overissels } And all other			
	Rowse } cloath of hol-			
	Shepards } land the ell			
	Linnen Cloath cal- led	Brittish the hundred ells containing five score	06 00 00	
Cowseild cloath or Plats the ell		00 01 06		
Drilling and Pack duck the hundred ells containing six score		02 05 00		
Elbing or Dansk cloath double ploy, the ell		00 01 00		
Hamborough & Silesia cloath broad the hundred ells containing one hundred & twenty white or brown		07 00 00		
Hamborough cloath narrow the hundred ells, containing six score				
Hinderland, Middlegood, Headlake and Muscovia Linnen narrow the hundred ells containing six score		02 10 00		
Lockrams the piece broad				
Lockrams the piece narrow		10 00 00		
Minsters the Roll, containing fifteen hundred ells, at five score to the hundred		06 00 00		
Oxenbridges the Roll, containing fifteen hundred ells at five score to the hundred		47 10 00		
drd				
Soultwich the hundred ells, containing six score		60 00 00		
Polonia, Ulsters, Hannovers, Lubeck, narrow Sletia, narrow Westphalia, narrow				
Harford, plain Napkenning, and all other narrow cloath of High Dutchland, and the East Countrey white or brown, and not otherwise rated the hundred ells, containing six score		04 00 00		
Strasborough or Hamborough Linnen the ell				
Budget or hanging Locks small the groce, containing twelve dozed		05 00 00		
Hanging Locks large the groce, containing twelve dozen				
Lutestrings called Catlings, the groce containing twelve dozen		00 03 00		
		01 00 00		
		02 00 00		
		00 06 08		

M.

Madder called	Crop Madder, and all other Dale Madder the 100 weight containing 112 pound	01 00 00
	Fat Madder the hundred weight containing one hundred and twelve pound	00 10 00
	Mull Madder the hundred weight containing one hundred and twelve pound	00 06 08
Magnus	the hundred weight, containing one hundred and twelve pound	01 00 00
Masts of Velvet	the dozen	01 04 00
Masts	For Ships, small the Mast	01 00 00
	Middle, the Mast	02 00 00
	Great, the Mast	05 00 00
Mats	Rullia, the Mat	00 01 08
	Mats called Dutch the yard	00 01 08
Melasses or Rameals	the hundred weight containing one hundred and twelve pound	00 05 00
Moscado ends	the dozen pound	03 00 00
Mittins of Wadmol	the dozen pair	00 09 00

N.

Napkins French making	the dozen	00 12 00
Needles called	Sowing needles the dozen thousand	02 00 00
	Pack needles the thousand	00 10 00
	Sail needles the thousand	00 05 00

O.

Oklam	the hundred weight, containing one hundred and twelve pound to be free	
On, vide Iron	Oar to be free	
Ours	the hundred, containing fix score	10 00 00
Oyle called	Rape and linseed Oyle the tun	30 00 00
	Sivil Oyl, Majorca Oyle, Minorca Oyl, Apuglia Province Oyl, and Portugal Oyl, the tun	32 00 00
	Train Oyl of Green-land the tun	08 00 00
	Train Oyl of New-found-land, and the like sort, the tun	06 00 00
Olives the Hoghead		08 00 00
Onions	The barrel	00 03 04
	The hundred bunches	00 16 08
	Seed the hundred weight, containing one hundred and twelve pound	04 00 00
Orchal	the Hundred weight, containing one hundred and twelve pound	01 10 00
Oranges and Lemons	free	
Orfede we	the dozen pound	02 00 00

P.

Pans called dripping and frying	Pans the hundred weight, containing one hundred and twelve pound	03 00 00
Paper called	Blew Paper the Ream	00 10 00
	Brown Paper the bundle	00 03 00
	Cap Paper the Ream	00 07 06
	Moralaix paper the Ream	00 02 06
	Paper of Caen and Roan ordinary, the Ream	00 04 06
	Ordinary Printing paper, and copy paper the Ream	00 02 06
	Painted paper the Ream	01 00 00
	Pressing paper the hundred leaves	01 00 00
	Rochel paper as large as demy paper the ream	00 09 00
	Royal paper the ream	01 00 00
	Demy paper the ream	00 12 00
Parchment	the dozen containing twelve sheets	00 10 00
Dirto	the roll, containing six dozen	03 00 00
Pins English	the dozen thousand	00 09 00
Pincers and Pliers	the dozen	00 04 00
Pintadoes, or Callico	cupboard cloathes the piece	03 00 00
Pipe, Hoghead or Barrel	staves the hundred, containing fix score	10 00 00
Pipes for children	the groce, containing twelve dozen	00 08 00
Pitch great band	the last, containing twelve barrels	06 00 00
Small band	the last	04 00 00
Plaister of Parris,	the mount containing three thousand weight	01 10 00
Plank	the hundred foot, containing five score	00 12 06
Planks of Cedar	the foot	00 01 00
Lattin plates called	Single white the barrel, qt. three hundred	04 00 00
	Double white the barrel, qt. three hundred	08 00 00
	Single black the barrel, containing three hundred plates	04 00 00

Lattin plates Double black the barrel, containing three hundred plates	08 00 00		
Pumice Stones the tun	05 00 00		
Pomgranats the hundred, containing five score	00 05 00		
Pots cal- led	Of earth or stone covered, the hundred cast	05 00 00	
	Of earth or stone uncovered, the hundred cast, containing a gallon to every cast, whether in one pot or more	} 03 00 00	
	Gally pots the hundred, containing five score		02 00 00
	Melting pots for Goldsmiths the thousand	01 10 00	
	All pots and kettles of Iron the dozen	12 00 00	
Pullies, viz.	Pullies of Iron the groce, containing twelve dozen	08 00 00	
	Of brass the dozen	00 04 00	
Q.			
Quills called Goose-quills, the thousand		00 02 06	
R.			
Rape of Grape, the tun		06 00 00	
Rattles for Children the groce, containing twelve dozen		01 00 00	
Ribband of silk of all sorts, the pound containing sixteen ounces		05 00 00	
Rice the hundred weight, containing one hundred and twelve pound		01 06 08	
Rozen the hundred weight, containing one hundred and twelve pound		00 06 08	
Ribband of Gold, silver, or both the pound qt. sixteen ounces		08 00 00	
S.			
Salfore the hundred weight, containing one hundred and twelve pound		00 04 00	
Saffron the pound		01 10 00	
Salt of all sorts the bushel, containing eight gallons		00 05 00	
Salt-peter the hundred weight, containing one hundred and twelve pound		02 00 00	
Scales for scabbards the bundle		00 01 00	
Scamorty the yard		00 01 00	
Scamorty the piece, containing thirteen yards		00 13 00	
Scissars the groce, containing twelve dozen		03 00 00	
Sea holly roots the pound		00 01 00	
Sheets old the pair		00 06 00	
Shirts old the piece		00 01 06	
Syder and perry the tun		04 00 00	
Silk cal- led	Bologna, Naples and Organfive silk the small pound, containing sixteen ounces	01 08 00	
	Bassan, Vincentia, Orsoy and Messina Thrown silk, the small pound	01 04 00	
	Capiton silk double the small pound	00 09 00	
	Ferret and Floret silk the small pound	00 16 00	
	Naples Thrown silk the small pound	01 02 06	
	Raw Legee silk the great pound containing twenty four ounces	00 18 00	
	Raw Ardas silk the great pound	00 14 00	
	Raw Belledine, Bias and Messina silk the great pound	01 00 00	
	Raw Bengala silk the great pound	00 15 00	
	Raw Morea silk the great pound	00 09 00	
	Raw China silk the great pound of all sorts	00 18 00	
	Raw Capiton silk the great pound	00 10 00	
	Thrown silk died, the pound containing sixteen ounces	02 10 00	
	All silks wrought of the Fabrick or Manufacture of the East-Indies, Italy, or any other part or place whatsoever, the pound weight containing 16 ounces	} 05 00 00	
	Buck- skins	{ In the hair, the skin	00 02 06
		{ Drest, the skin	00 05 00
	Calf- skins	{ Raw the dozen	00 06 08
		{ Tanned the dozen	00 15 00
	Dog fish skins or Fletchers the skin		00 00 06
	Elks skins, the skin		01 10 00
	Fox skins drest, the dozen		01 05 00
	Gold skins, the skin		00 00 06
	Goat skins	{ Of Barbary, or the East countrey in the hair the dozen	01 00 00
		{ Tanned the dozen	02 00 00
	Hufs skins for Fletchers the skin		00 00 06
	Kid skins	{ In the hair, the hundred containing five score	01 00 00
		{ Drest the hundred, containing five score	02 00 00
	Lamb skins in the wool the hundred, containing 120		01 05 00

	Portugal skins the dozen	02 00 00
	Seal skins the skin	00 01 08
	Shamway skins the dozen	01 10 00
	Sheep skins blew of France the dozen	02 00 00
Skins called	Rabber and Coney skins of all forts the hundred skins containing five score	01 10 00
	Squirrel skins the thousand	05 00 00
	Spanish, Civil or Cordovant skins the dozen	05 00 00
	Spruce skins tawed the dozen	02 00 00
	Sheepskins in the wool the skin	00 00 09
Slale the pound		00 02 00
Smale the pound		00 01 00
Snorting, alias Snayl, or drest towe the twelve pound		00 05 00
Spars the middle the hundred, containing fix score		01 00 00
Spars finall the hundred containing fix score		01 00 00
Spangles of Copper the thousand		00 01 00
Spectacles without cases the groce, containing twelve dozen		00 18 00
All spirits made of wine or cyder the gallon		00 06 08
All thong-waters perfectly made the gallon		01 00 00
Soap hard or soft, the hundred and twelve pound		06 00 00
Starch the hundred and twelve pound		01 10 00
Steel cal-	{ Steel wisp or long, per faggot or per hundred weight containing 112 pound.	02 00 00
led		12 00 00
	Gad steel the halt barrel	02 00 00
Stockings of silk the pair		00 06 08
Stockins worsted for men or women the pair		00 03 04
Stockins for children the pair worsted		00 03 04
Stockins woollen for men or Women the pair		00 01 08
Stockings of Woollen for children the pair		00 10 00
	Cane stones the tun	
	Dog stones the last, containing three pair to the last, to be free	
	Mil-stones the last containing three pair, to be free	
Stones called	Mil-stones the pair to be free	
	Quern-stones finall the last	01 10 00
	Quern-stones large the last	13 10 00
	Slick-stones the hundred containing five score	10 02 00
T.		
Tallow the hundred weight, containing one hundred and twelve pound		01 10 00
Tapistry	{ With hair, the Flemish ell	00 03 00
	{ With Caddas, the Flemish ell	00 06 00
	{ With Silk, the Flemish ell	00 10 00
	{ With Wool, the Flemish ell	00 03 00
Tarras the barrel		00 06 08
Tar small band the last		02 00 00
Targreat band, the last conaining one hundred and twelve barrels		03 06 08
Teazels the thousand		00 02 00
Thred cal-	{ Black and brown thred the dozen pound	01 00 00
	{ Lions or Paris thred, the bail containing one hundred bolts	03 00 00
	{ Outnall thred the dozen pound	03 00 00
	{ Silfers thred the pound	00 15 00
Thrums	{ Whitd brown the dozen pound	01 13 04
	{ Of Linnen or Fustian the pound	00 00 06
	{ Of Woollen	00 01 00
Ticks called Brizil Ticks, and connterfeit Brizil the Tick, or Turnel Tick		01 10 00
Timber the Load, containing fifty foot		01 00 00
Tiles called dantiles the thousand		05 00 00
Tinglafs the hundred weight, containing one hundred and twelve pound		03 00 00
Tinshore the groce, containing twelve dozen		00 03 00
Towe the hundred weight, containing one hundred and twelve pound		01 00 00
Treakle	{ Flanders Treakle the barrel	04 00 00
	{ Of Jeane the pound	00 01 04
Trees of all forts free		
Trumpets for children the groce		00 08 00
Twine of Hamborough the hundred weight, containing one hundred and twelve pound		02 10 00
Twist for band-strings, the dozen knots		00 10 00

To-

Tobacco of English Plantation, the pound	00 01 08
Spanish Tobacco of all other Plantations, the pound	00 10 00
V	
Verditer the hundred weight containing one hundred and twelve pound	01 06 08
Verders Tapistry, containing eight or ten ells with hair, the Flemish ell	00 02 00
Vinegar the Tun	10 00 00
W	
Wadmoll the yard	00 00 09
Waincoats the piece	00 10 00
Wax the hundred weight, containing one hundred and twelve pound	05 10 00
Wax called hard wax the pound	00 02 04
Waters distilled, vide strong-waters	
Whale-bone the hundred weight	00 10 00
Whetstones, the hundred stones containing five score	00 16 08
Woad the hundred containing one hundred and twelve pound	00 18 00
Whale-bone the tun	50 00 00
All wines of the growth of Spain, or Dominions thereof, the tun	20 00 00
All French, Rhenish and othe Wines whatsoever, the tun	14 00 00
Box wood the tun	12 00 00
Brazil or Farnambuck wood the hundred weight containing one hundred and twelve pound	01 00 00
Braziletto, or Jamaica wood the hundred weight, containing 112 pound	00 14 00
Log wood the hundred weight containing one hundred and twelve pound	03 10 00
Speckled wood the hundred weight containing one hundred and twelve pound	01 00 00
Touchwood the pound	00 02 00
Fustick the hundred containing one hundred and twelve pound	00 06 00
All Sorts of Wool to be imported, duty free	
Wire called { Iron wire the hundred weight containing one hundred and twelve pound	02 10 00
{ Latten wire the hundred weight, containing one hundred and twelve pound	05 00 00
{ Virginal and Ghittern wire the pound	04 00 00
Wine called Brandy wine the tun	20 00 00
Y	
Cable yarn the hundred weight, containing one hundred and twelve pound	00 13 04
Cammel or Mohair yarn the pound, containing sixteen ounces	00 02 06
Cotton yarn the pound	00 02 00
Grogain yarn the small pound containing sixteen ounces	00 03 00
Cotton yarn of Turky the pound	00 01 08
Spruce or Muscovia yarn the hundred weight, containing one hundred and twelve pound	01 13 04

An Act for settling the subsidie of Poundage, and granting a Subsidie of Tunnage and o-
ther sums of money unto His Royal Majestie, His Heirs and Successors: the same to be
paid upon merchandizes Imported and Exported into or out of the Kingdom of Ire-
land, according to a Book of Rates hereunto annexed.

CAP. IX.

Forasmuch as by the Laws of this Realm, Our Sovereign Lord the King and his Heirs are to have, receive and levy one Subsidy of Poundage, (that is to say) of all and every Twenty Shillings worth of all manner of Merchandizes and Wares brought into this Realm of Ireland, by any person or persons to be sold within the said Realm, Twelve pence of lawful money of England, and likewise to have, le- by and receive for every Twenty Shillings worth of Merchandizes and Wares, after the price that they be bought within this Realm, and to be carried out of the same, to be sold by any manner of person or per- sons beyond the Seas, Twelve pence, (Wine and Oyl only excepted.) And forasmuch as the Prizes of all such Merchandizes and Wares brought in, and sold, and bought, and carried out, are uncertain, and the Duties therefore or Subsidy of Poundage of the same not possibly to be had, received and levied in so regular a way as the nature of such an Affair doth require, unless some certain and set Rates be conceived by which the said Duties and Subsidy may be paid:

Deo oio

Wm

We the Lords Spiritual and Temporal, with the Commons of your Majesties Realm of Ireland, in this present Parliament assembled, upon due and mature consideration had of the present state and condition of the Trade of this your Realm, and of the nature, quality and severall uses of the Goods and Merchandizes Imported and Exported, and of the most orderly and regular manner of levying the said Subsidy, upon the Goods and Merchandizes aforesaid, Do therefore most humbly beseech your Majesty, that it may be Enacted; And be it Enacted by your most Excellent Majesty, by the advice of the Lords Spiritual and Temporal, and Commons in Parliament assembled, and by the Authority of the same, that the Rates mentioned and expressed in one Book of Rates hereunto annexed, Intituled, The Rates of Merchandizes. (That is to say,) The Subsidy of Poundage, and the Subsidy of Tunnage, as they are rated and agreed on by the Parliament of Ireland, set down and expressed in this Book, to be paid according to the Tenor of the Act of Poundage and Tunnage, to the use of his Majestie, His Heirs and Successors for ever; Shall be the Rates, according to which, all Goods and Merchandizes of every Merchant, natural born Subject, Denizens and Aliens, to be brought into all or any part of this Realm, or carried out of the same, of the value of every Twenty Shillings of the same Goods and Merchandizes according to the severall and particular rates and values of the same Goods and Merchandizes, as they are particularly and respectibely rated and valued in the forementioned Book, shall pay Twelve pence English money; and that the said Book of Rates together with certain Rules, Orders and Directions thereunto annexed, Intituled, Certain Rules, Orders Directions and Allowances for the advancement of Trade, and the encouragement of Merchants, as also for the regulating as well of the Merchants in making of due Entries, and just payment of their Customs, as of the Officers in all Ports of this Realm, in the receipts of their severall Fees, and in the faithful management of their Duties and Truities; And every Article, Clause, Sentence and Rule in the before mentioned Book of Rates, and certain Rules, Orders and Directions aforesaid, shall from and after the first day of December, One thousand six hundred sixty one, be and remain as effectual to all intents and purposes as aforesaid, as if the same had been particularly included in the body of this present Act; And for the better guarding and defending of the Seas against all persons intending, or that may intend the disturbance of the intercourse of the Trade of this your Majesties Realm, and for the better defraying the necessary expences thereof, which otherwise cannot be effected without great charge. And for increase and augmentation of your Majesties Revenue, Be it further Enacted by the Authority aforesaid, That your Majesty, your Heirs and Successors, shall have, levy and receive for ever, from and after the said first day of December, One thousand six hundred sixty and one, one Subsidy more of Poundage, (That is to say) of every Twenty Shillings value of any of the native Commodities of this Realm, or Manufacture wrought of any such Commodities to be carried out of this Realm by every Merchant, Stranger, or other Alien, according to the value thereof in the aforesaid Book of Rates expressed, Twelve pence of like English money, over and above the Twelve pence aforesaid; and also One Subsidy called Tunnage, (That is to say) Every Tun of Wine of the growth of France, or of any the Dominions of the French King, or Crown of France, that shall come or be brought unto the Port of Dublin, and the Members thereof, and into all and every the other Ports and Places of this Realm, by your Majesties natural born subjects of this Realm, or any other your Majesties Dominions, the sum of

Time from
which it is
in force.

Poundage
on native
Commodi-
ties Exported.

Tunnage on
the severall
sorts of
Wines and
Oyle Imported.

of Three pounds and ten shillings of lawful money of England, and by Strangers and Aliens the sum of four pounds thirtē shillings and four pence of like money; and of every But or Pipe of Muscadine, Malmeiseis, Cutes, Lents, Allicants, Bastard-Sacks, Canaries, Malagoes, Maderaes, and all other Wines whatsoever, commonly called sweet Wines of the growth of the Levant, Spain, Portugal, or of any of the Islands or Dominions to them, or any of them belonging, or elsewhere, that shall come and be brought into the Port of Dublin, or Members thereof, and into all and every the other Ports and places of this Realm, by any natural born subject as aforesaid, the sum of Two pounds and ten shillings of like money of England, and by Strangers and Aliens the sum of Three pounds six shillings and eight pence; of every Wm containing Fourty two Gallons of Rhenish wine, of the growth of Germany, that shall come and be brought into this your Majesties Realm, by your natural born subjects as aforesaid, the sum of fiftē shillings of like money; and by Strangers and Aliens Twenty shillings of every Tun of Rape and Linsēd-oyles, containing Two hundred fifty two Gallons, that shall come and be brought into the Port of Dublin, or any of the Ports of this Realm, by any natural born subject as aforesaid, the sum of One pound ten shillings of like money, by Strangers & Aliens the sum of One pound seventeen shillings and six pence of like money; of every like Tun of Sevil, Majorca, Minorca, Apuglia, Province, or Portugal Oyl, that shall come or be brought in by any natural born subject as aforesaid, the sum of Two pounds and twelve shillings of like money: by Strangers or Aliens, the sum of Three pounds five shillings of like money; of every like Tun of Sallet-oyle, brought in by any natural born subject as aforesaid, the sum of Three pounds and three shillings of like money; by Strangers or Aliens the sum of Three pounds eighteen shillings and nine pence of like money; of every like Tun of Crayn-oyle, of Greenland, brought in by any natural born subject as aforesaid, the sum of Eight shillings of like money; by Strangers or Aliens the sum of Ten shillings of like money; of every like Tun of Crayn-Oyle of New-found Land, brought in by any natural Born Subject, the sum of six shillings of like money, by Strangers or Aliens the sum of seven shillings and six pence of like money; which several rates of tunnage and poundage being the same which are expressed in the Book of Rates before mentioned, and no other, from and after the said first day of December, One thousand six hundred sixty one, shall be had, received, leavied, and taken upon all goods and Merchandizes whatsoever imported or Exported into or out of any Port or place of this Realm, and so proportionably for a greater or lesser quantity of the same, any former Laws, Statutes, Usages, or Customs to the contrary in any wise notwithstanding, excepted alwayes and foreprized prisage and Butlerage.

Provided always, and be it Enacted by the Authoritie aforesaid, that if any Goods or Merchandizes aforesaid of any Merchant, being born Denizen of this Realm of Ireland, or any other your Majesties Dominions hath been, or at any time hereafter shall be taken by any enemies or Pirates, upon the Sea, or perish in any Ship or other that shall happen to be taken or perished, whereof the Subsidies and other Duties are, or shall be duly paid or agreed for, and that duely proved before the Lord Treasurer of Ireland, or the chief Baron of your Majesties Court of Exchequer for the time being, by the examination of the same Merchants, if they be alive, or of their Executors, or

ted by Natu-
ral born sub-
jects and
Strangers

On les of
Goods that
had paid
Custom de-
nizen may
Ship as much
Custom free

Penalty on
Owners &c.
lading or
departing
before duly
licenced,

Or lading
or discharg-
ing goods
without en-
tring into
bond and
answering
on Oath.

administrators if they be dead, or by two credible witnesses at the least sworn, or other reasonable witness and proof sworn then the same Merchant, or Merchants his or their Executors, or administrators, shall and may, newly Ship in the same Port, where the Goods and Merchandizes aforesaid were, or shall be customed, so much other Goods and Merchandizes, as the same Goods and Merchandize so lost as aforesaid shall amount unto in custom, without paying of any thing for the same, so as the same proof be recorded, and allowed of in the Court of Exchequer, and certified unto the Collector of the Customs of the Port, where the same Goods and Merchandize are to be newly shipped without custom as aforesaid. And whereas many great quantities of goods and Merchandizes, are oftentimes fraudently concealed, to the great lessening, or diminution of your Majesties Revenue, for prevention thereof: Be it Enacted by the authority aforesaid, that no Owner, Master, Skipper, Purser, or other person taking charge of any Vessel, or of any Merchants Goods shall receive or take into any Ship, Bottom, or Vessel whatsoever, any Goods, Wares, or merchandizes, to be carried or transported, into any of the parts beyond the Seas, before he shall have signified to the Custommer of the Port where he ladeth, and other Officers there in the open Custom-house (if any such be there,) or else where the said Officers, or their Deputies, or any of them be or shall be usually resident that he intendeth to Lade, and to what place he intendeth to pass, nor shall after his or their full lading, depart out of the Port, Creek or Place, where he shall so Lade, before he do in like manner signifie unto the Custommer and Officer as is aforesaid, of his Lading, and what Merchants, and other persons shall have Lading with him, or in his Ship, Vessel or Bottom, and further truly to answer to such questions as shall be interrogated of him or them by the Custommer or other Officer, concerning such Wares and Merchandizes as he shall have Laden, being examined upon his or their Oath in the open Custom-house or otherwise as is aforesaid, upon pain to forfeit for every such default, or not truly advertising, nor answering to such questions as shall be demanded of him, one hundred pounds of currant money of England aforesaid: that no Owner, Master, Skipper, Purser, or other person taking charge of any Ship, Vessel or Bottom, wherein any Goods, Wares or Merchandises shall be laden, or brought from any the parts beyond the Seas, shall discharge into any Lighter, Gabbard, Bottom, Boat, Ship or Vessel whatsoever, and lay on land, or procure, or cause, or any wayes permit, or suffer to be discharged into any Lighter, Gabbard, Bottom, Boat, Ship or Vessel whatsoever, and to be laid on land out of such Ship, Bottom or Vessel, any Goods, Wares or Merchandises whatsoever, before such Owner, Master, Skipper, Purser or other person or persons, taking charge of the Ship, Bottom or Vessel, shall have first entred into a sufficient obligation in the Law, in which he shall be bound to the King with known able Sureties, in such sum as the Collector of the Port where he arrives shall judge meet, That the Ship or Vessel by him brought in, shall not depart or sail away out of the said Port or Harbour, without her being fully cleared and discharged by the Collector or Searcher of the said Port, and shall likewise have delivered under his hand to the Custommer, or other Officer of the Port, Haven or Creek where he arriveth, One Bill of the particulars and contents of the whole lading of his or their Ship, Bottom or Vessel, with the names of the several Merchants or Laders, and the mark, packadge, or outward form of the Goods,

Goods, and Merchandise laden, and shall make declaration that he hath not broken Bulk since he came into the Port, nor into any other Port of this Realm otherwise than in the said Bill shall be expressed, and shall have truly answered upon Oath unto such Questions and interrogatories touching or concerning such Goods, Wares or Merchandises as shall be then Laden in any such Ship, Vessel, or Bottom as shall be to him administered by such Customier, or other Officer openly in the Custom-house, or in such other places as aforesaid upon his or their Oath, if he or they shall be thereunto required, upon pain that every owner, Master, Skipper, Purser, or other person or persons as aforesaid, shall forfeit and lose for every such default in not giving Bond, truly advertising, nor answering as is aforesaid one hundred pounds of like money:

That it shall not be lawful to or for any person or persons whatsoever to lade or put, or cause to be laden or put off or from any Wharff, Key, or other place on the Land into any Lighter, Gabbard, Bottom, Boat, Ship, or Vessel whatsoever, to be transported into any place or places beyond the seas, or to take up, discharge or lay on Land, or cause or procure to be taken up, or discharged out of any Lighter, Gabbard, Bottom, Boat, Ship, or Vessel whatsoever (not being in Leak or Wrack) and laid on land any goods, Wares or Merchandises whatsoever, brought from any parts beyond the Seas but only in the day light (that is to say) from the first of March unto the last of September betwixt the Sun rising and the Sun Setting, and from the last of September unto the first of March, between the hours of seven in the morning, and four in the afternoon, and in and upon some such open Key, or wharf, as the Lord Lieutenant, Lord Deputy, or other chief Governour and Governours and privy Council of this Realm for the time being, shall therefore appoint within your Majesties Port of Dublin, and all other the Ports Creeks, Havens, or Roads of this Realm, where a customier, Comptroller, and Searcher of such Ports, Havens, Creeks, or Roads, and every of them or their Deputies have accustomedly been resident, or hereafter shall be resident upon pain of forfeiture of all such Goods, Wares, or Merchandises so Laden and discharged contrary to the meaning of this present Act or the value thereof: That no manner of person or persons shall receive or take into any Ship, Vessel, or Bottom, any Goods, Wares or Merchandises, to be transported into any place beyond the Seas, nor shall discharge and lay on Land out of his or their Ship, Bottom or Vessel, (not being in Leak or Wrack, any Goods, Wares, or Merchandises, brought from any parts beyond the Seas, in any other place or places, or at any other hour, hours, or time than is before limited and appointed, upon pain the owner, or owners, Master, or Masters, or other person or persons taking charge of such Ship or Vessel in which such Goods, Wares and Merchandises shall be so shipped, or out of which the same shall be unshipped, shall forfeit and lose for every such offence, One hundred pounds of lawful money of England, and the Mate, Boatswain, or any of the Mariners committing such offence, shall forfeit treble the value of the Subsidies or Customs of such Goods, Wares and Merchandises, or imprisonment at the will and pleasure of the Chief Governour or Governours of this Realm for the time being, or of the Barons of his Majesties Exchequer, or any Two of them: Provided such imprisonment do not exceed the space of Twelve months: That it shall and may be lawful to and for the Commissioners, and the respective Customiers and Collectors of the

Penalty on
those that
lade or land
goods at un-
due time
and times.

Fine goods
im-
ported may
be secured
in the ware-
house.

And all o-
ther if not
entered with
in 28 dayes
after the
ships arriv-
al.

Refusers to
forfeit
100.

Forfeiture
of goods
unduly
landed
or landed.

Customs for the time being, or their Deputy or Deputies, (for whom they will answer) by his or their Warrant or Warrants in writing upon the arrival of any Ship or Vessel, with Goods, Wares & Merchandises from any the Ports beyond the Seas, to secure or take out from any such Ships or Vessels, all fine Goods & Merchandises of small Bulk or packing as they or any of them may discover, or have cause to suspect, there being intended to be conveyed on shore without payment of Customs, subsidies or other duties for the same: & the same to be put into custody of the Warehouses of the respective Customhouses there to remain until the Duties for them respectively be payed, and if any Ship or Vessel importing any Goods, Wares or Merchandises, from any the parts beyond the Seas shall not fully unlade, discharge or deliver all the Goods and Merchandises imported therein within Eight and twenty dayes after the arrival of such Ship or Vessel (wind and weather permitting) in some Port or Haven of this Realm, that then for preventing fraud or charge, it shall and may be lawful to and for the said Commissioners and respective Customers and Collectors of the Customs, their Deputy or Deputies to unlade and take on shore all the Goods, Wares and Merchandises which shall be found in such Ship or Vessel, and the same to secure in his Majesties Ware-houses of the respective Custom houses or elsewhere, and the charge thereof to be born by the merchants, Owners, or claimers thereof, at such moderate Rates as the said Commissioners & respective Customers & Collectors or their Deputies shall judge equal: And in case any person or persons shall find himself aggrieved touching the said Rates, that they may appeal to the chief Governour or Governours of this Kingdom for the time being who are hereby impowered and enabled to determine the same. And if any person or persons shall refuse to permit such fine Goods, or such other Goods, Wares, or Merchandises to be unladen, taken out and secured as aforesaid, he or they so refusing, shall upon proof thereof forfeit the sum of one hundred pounds of like money of England: Provided always and be it enacted by the Authority aforesaid, that if any Goods, Wares, or Merchandises, so unladen or Laden out of any Ship or Vessel shall afterwards be purloyned, imbeziled, willfully spoyled, or impaired, that in such case, the Officer or Ware-house keeper under whose charge the said Goods, Wares, and Merchandises shall at such time be, shall make full and ample satisfaction to the owner or claimer of the same, to be adjudged by the Barons of his Majesties Exchequer or any two of them. And the Commissioners of the Customs are hereby required to take good security of the Officers imployed in and about the premises, for the faithful discharge of their respective trusts therein: That if any Goods, Wares, or other merchandises whereof the Subsidies aforesaid, are or shall be due, shall at any time be shipped or put into any Lighter, Gabbard, Wherry, Boat, Bottom, or Vessel whatsoever, to the intent to be carried into any the parts beyond the Seas, or else being brought from the part beyond the Seas into any Port, Place, or Creek of this Realm, (except in cases of necessity when such Goods, or Merchandises are in danger of perishing,) shall be unshipped to be laid on Land, without the knowledge, privity and consent of the Commissioners or respective Customers or Collectors of the Customs for the time being, or before due entry thereof be made, and the Subsidies, Customs, and other duties due or to be due for the same, not paid nor lawfully tendered to the Collector thereof, or his Deputy, with the consent and agreement of the Comptroller and Surveyor, and

and any one of them at the least, and warrant in due form and manner pass for the same, that then all the same wares, goods and Merchandises whatsoever so shipped, transported and carried, or unshipped and landed as aforesaid, or the value thereof shall be forfeited.

That if any Goods, or Merchandises, imported from beyond the Seas, shall be unshipped and put into any Lighter, Sabbard, Wherry, Boat, or other Vessel whatsoever, without the consent, privity or allowance of the Commissioners or respective Customers, or Collectors of the Customs, their Deputy or Deputies testified by a note under his or their hand or hands, that then every such Lighter, Sabbard, Wherry, Boat or other Vessel in which such Goods, and Merchandises shall be put, shall be forfeited and confiscated: That before and during the unloading of any Ships or Vessels after their arrival in any Port of this Realm, the Commissioners and respective Customers and Collectors of the customs, shall and may where and as often as they shall see cause, appoint one or more Tide-Wayters or Officers to go on Board every such Ship, or Vessel, either from beyond the Seas, or from any other part within this Realm, and there to lye and remain on Board untill the goods and Merchandises of such Ship or Vessel, shall be unladed, or untill they the said Wayters or Officers shall be thence discharged.

And if any Master, Owner, or other taking charge of any Ship, or Vessel, refuse & will not suffer and permit any such Wayter or Officer to come on Board his or their Vessel, and there to remain as aforesaid, and if after the clearing of any Ship or Vessel by the Commissioners of the Customs, Collectors or other Officers respectively, or the discharging of the Tide-waters or other Officers from on Board such Ship or Vessel, there shall be found on Board such Ship or Vessel any Goods, Wares or Merchandises which have been concealed from the knowledg of the Officer or Officers on Board, and for which the Custom, Subsidy or other duties, due upon the importation thereof are unpaid: That then and in every such case the Master, Owner or other person, taking charge of such Ship or Vessel, shall forfeit for every such offence, the sum of One hundred pounds of like money of England.

That all and every merchant and merchants, and any other person or persons whatsoever, entring any goods, wares or merchandises, to be shipped or landed, shall make entry thereof particularly, and deliver a Bill thereof at large, under his hand, or the hand of his Assignee, for whom he shall be responsible and answerable to the Collector, expressing the name of the ship, and the Master, the burthen, of whence, and from what place it was freighted, with the marks and numbers of the fardles, Bulks and packadge in the margin, and the quantities and qualities of all and every the goods, wares and merchandises that are therein contained, and so by him entred, upon pain that every merchant and merchants, and other person or persons, not entring in such form and manner, shall for every time forfeit Ten pounds of like English money: And if any merchant, or other person or persons, entring in manner as aforesaid, shall make a short or undue entry of the quantity or quality of his or their goods, wares or merchandises, every such merchant, and other person, shall forfeit and lose all such goods, wares and merchandises, or the value of them, which shall be so short, or unduly entred.

That no person or persons shall carry any goods, wares or commodities prohibited, or whereof any the duties aforesaid are payable, to discharge the same in any other port or place of this Realm, unless such

person or persons, do before the shipping thereof, declare and manifest to the Collector of the Customs, or their Deputies, together with the Customer or Comptroller of the said port, where the same shall be shipped in the open Custom-house, the nature, length, number or other contents, or value of the said Goods, wares, or merchandises, and with the approbation of the Collector or his Deputy, shall also make, and enter into sufficient Obligation in the law, in which he shall be bound, to our Sovereign Lord the King, with sufficient sureties in such sum as shall amount to the double value of such Goods wares and Merchandises, so declared and manifested, with condition that the same shall be discharged at some lawful port or place, within this Realm, and in no other ports or places whatsoever: which Bonds the said Collectors of the Customs, or their Deputies respectively, are hereby required and authorized to take accordingly.

and procure
true certifi-
cate of the
landing
either
goods in
some other
Port or
Ireland.

And in case any of the said goods, wares or merchandises shall be shipped, or laden, in any other ship or vessel, to be carried or transported between port and port aforesaid, before such declaration be made, or security given as aforesaid, that then all and every the said goods, wares and merchandises, or their value, shall be forfeited and lost, and every person or persons, that shall ship such goods, and be bound as aforesaid, shall within two months next after the shipping thereof, bring, or cause to be brought, a true Certificate under the hand and seal of Office of the Customers, or Collector, or Collectors, and Comptrollers, or their Deputies of the said Port, Creek or place, where he or they shall happen to discharge the same, testifying that the said goods, wares and merchandises so shipped, and the true nature, length and number, or other contents and value thereof, is there discharged and landed, which Certificate the Customer and Comptroller of such Port or place where the said goods, wares or merchandises shall be discharged, shall upon the discharge thereof, deliver to the party so discharging the same, or to his Factor without delay: That every merchant which shall bring any manner of goods, wares or merchandises into any Port of this Realm, and there entering and paying the Customs or Subsidy of the same, will afterwards convey or carry away the same, or any part of the same from thence, into any other port of this Realm: That then the Owner of the said goods or merchandises, his Factor, or Attourney, shall bring from the Collector and Comptroller of the Port where the said Goods, and Merchandises shall be so entered, a certificate under the said Collector and Comptrollers seals, directed to the customer and Comptroller of the Port, where the said Goods, and merchandises shall be conveyed, or carried, specifying, or making mention within the said certificate as well the quality, as the quantity of the weight, number, measure of the Goods, wares and merchandises so entered, and that the same Certificate so made, be delivered to the said customer, collector, and comptroller, before the said goods be discharged, That so they, or such as they shall appoint, may see, and try whether the quality, quantity, weight, number, or measure, of the same do agree with such certificate, and if any certificate, shall not be duly made in form and manner, and specifying or making mention according as is aforesaid, that then the said customer, or comptroller, shall lose his or their Office, and if any such Goods, wares or merchandises, or any parcel thereof be discharged, and unpacked, or put to sale within any other Port, than within the same, where they shall be first Entered before the said Certificate shall be delivered, and the Goods and merchandises seen as aforesaid, the same shall be forfeited, and confiscated.

That

That no person do take upon him to enter or do, or cause to be entered into the book of any customer, or any other, or Officers of any Port within this Realm, his or their Deputy, or Deputies any manner of Goods, Wares, or merchandises whatsoever, coming, or brought from any parts beyond the Seas in the name or names of any other person or persons, than the very owner, or owners, Proprietor or Proprietors of the same Goods, wares, or merchandises being not sold, bargained, or contracted for, to, or with any person or persons, before such entry, or before the arrival of such Goods, wares, or merchandises, upon pain of forfeiture of the Goods, or value of the goods, which shall be entered otherwise.

That for the better discovering of all prohibited, and other Goods, and merchandises, fraudulently, or covertly brought in, and landed at unlawful hours, and places, the Collectors, Surveyor, Searcher, wayter or other persons authorized, deputed, and appointed thereunto by the Commissioners of the Customs under their hands, and seals, or under the hands & seals of the Major part of them, shall have power and authority, and are hereby impowered, and authorized, to go on board and enter into any Ship, Hoy, Bark, Bottom, Boat, or other Vessel whatsoever, as well by night as by day, riding, lying, or being within any the several Ports, Havens, Creeks, or other places within this Realm, and likewise at any time of the day, to go, and enter into all, or any of the Cellars, Shops, Ware-houses, where they shall have just cause of suspicion, to see, Survey and make search for any prohibited Goods, wares, and merchandises, and likewise any goods, or merchandises, either put on board any Ship or Vessel, or taken out, or carried away: or intended to be carried away, the customs and subsidy for the same having not been fully satisfied and paid, and the said Goods, wares, and merchandises to seize, attach, and carry away, secure and put into his Majesties Ware-houses at the Custom-houses of the respective Ports, there to remain until they shall be discharged by due course of Law.

And be it further Enacted by the authority aforesaid, that all and every the defaults, of such as shall attempt to do any thing contrary to the tenor of this present Act, or of the Rules, orders, and directions before mentioned into the Book of Rates to be annexed, or to any of the several Articles, or Branches of the same, (except as hereafter is excepted) shall be heard, inquired, and determined by the Barons of his Majesties Court of Exchequer, and that the moiety, or one halfe part of all fines, Penalties, or forfeitures shall be and remaine unto your Majestie, your Heirs, and Successors, and the other moiety, or halfe part to him or them, that shall seize, or sue for, or prosecute the same by Action, Bill, plaint, or information in the said Court of Exchequer, wherein no wager of Law, protection, Elloyn, or other Dilatory Plea shall be allowed.

Provided always for the avoiding of fraudulent Composition, that no Action, Bill, plaint, or Information aforesaid, be exhibited, or proceeded in against any Goods, wares, or merchandises seized, until such seizures shall be Registered, and entered with the Register, or Officer to be appointed for that purpose in the Port of Dublin, and certified by him, to be so entered, and Registered, and until such Goods, wares, and merchandises be secured, or laid up in his Majesties Ware-house at the Custom-houses of the respective Ports as aforesaid, and in case the Commissioners of the Customs shall be dissatisfied, or apprehend any neglect, or delay, in any person, or persons, to sue for, or prosecute

Officers authorized to enter and search Ships cellars &c.

Breaches of this Act to be determined by the persons.

And the fine &c. equally divided between his Majestie and the Exchequer &c.

Further direction as to Cellars.

in any Action, Bill, Plaint, or Information as aforesaid, that it shall and may be lawful to, and for the said commissioners to appoint any other person, or persons whom they shall think fit, to prosecute, which other person, or persons shall be and are hereby declared, to be true, proper and lawful prosecutors, or seisers to all intents and purposes whatsoever, & to whom the moyetie of the said seizures and forfeitures shall be due and payable, and to no other, any thing in this present Act, or any other Law, Statute, Usage, or Custom, to the contrary hereof notwithstanding. And whereas, by an Act made in this Kingdom, in the eight and twentieth year of the Reign of the late Queen Elizabeth, it was Enacted as followeth. Provided always, & be it

Lord Lieutenant &c.
to have yearly
a quantity of wine
Custom free

Enacted by the said authority, that the Lord Deputy, or other Governour or Governours of this Realm for the time, shall have yearly for the provision and store of his House, or such Wines as shall be brought & conveyed by way of Merchandise into this Realm, the number of Twenty Tuns free & discharged of the Customs of Subsidy granted by this Act; And that the said Lord deputy, or other Governour or Governours of this Realm for the time being, shall also by the said Authority, have full power to grant, limit, and appoint to every Peer of this Realm, & to every of the Privy Council in the same, & the Queens learned Council for the time being, at his or their discretion, from time to time such portion and quantity of Wines to be free and discharged of and from the said Customs and Subsidy, as he shall think to be meet and competent for every of them after their degrees and callings to have, any thing in this Act contained to the contrary notwithstanding. It is therefore hereby enacted, that the Lord Deputy, or other chief Governour or Governours of this Realm for the time being, shall have yearly for their provision and store of his or their houses, of such wines as shall be brought into this Realm the number of twenty Tuns, free and discharged of all Customs or Subsidies; And that the said Lord Deputy, or other chief Governour or Governours of this Realm for the time being, shall also by the said authority have full power to grant, limit & appoint unto every of the privy Council, and to his Majesties learned Council, and Clerk of his Majesties privy Council of this Realm, at his or their discretion, from time to time, such portion and quantity of wines, to be free and discharged of and from the said Customs and Subsidy, as he or they shall think fit to be meet and competent for every of them after their degrees and qualities, any thing in this Act contained to the contrary notwithstanding.

Offenders
to be prosecuted
within
12 months

Provided also, that this Act, or any thing therein contained, shall not extend to charge any person or persons with any penalty or forfeiture for or concerning any matter or thing done contrary to the tenour of this Act, or any part thereof, unless the party or parties offending, shall be sued or prosecuted for the same within twelve months after such matter or thing shall be done and committed as aforesaid, any thing in this Act, or any other Law, Custom or Usage whatsoever to the contrary notwithstanding.

Town bargain
gains not
required,

And because by experience it is found, that the hindering of Merchants, strangers and others from vending his or their goods, without offering them first to some Burghers or Freeman of such City, Corporation, or Town, where such Merchant, Stranger or other, do arrive with his or their goods, (commonly known by the name of Town-bargain,) is very destructive to the trade and commerce of this Realm, and very prejudicial to your Majesties Revenue.

Be it therefore enacted by the authority aforesaid, that from and after the said first day of December, One thousand six hundred sixty one, no such Town-bargain shall be required, nor any merchant, or other, hindered or withheld from disposing of his or their goods, wares or merchandises, without offering them as aforesaid: But that all and every

every merchant, stranger or other, importing any goods, wares or merchandises from beyond the Seas, and paying all duties by Law due and payable thereupon, shall and may from time to time, and at all times at his and their will and pleasure, freely and without lett, molestation or hinderance, sell and dispose of his or their goods and merchandises, any charter, custom, usage, privilege or liberty of or unto any City or Town Corporate, at any time made, given, granted, to the contrary in any wise notwithstanding.

And forasmuch as several ancient duties under the name of Town ^{For petty Customs} and petty customs, due and payable by merchants, strangers, unto several Cities and Towns corporate of this your Majesties Realm, have ^{paid, more than due by} been, and are demanded, received and taken by their Farmers, Deputies or Officers, in a far greater quantity and proportion, than is of ^{antient prescription} right belonging, in respect the same have been, and are required upon more goods than are truly liable thereunto, and according to the rates after which the Customs have been from time to time increased, and paid unto your Majesty, and your Royal Predecessors, which exceed far the ancient Rates according to which such petty customs can be required and taken.

Be it further enacted and ordained by the authority aforesaid, that from henceforth no such petty customs be demanded, received or paid, for or upon any more or other commodities than were chargeable with the same by ancient custom and prescription, and not according to the increase of his Majesties Customs, by his Majesties Book of Rates, nor for any wares or commodities by virtue of any Grant, but such as were charged at the time of the Grant made by your Majesties Royal Predecessors of such petty customs, unto any City or Town Corporate, nor at any other or greater rate or rates, than the same were either paid or answered by the merchants, strangers, at the time of the respective granting of the same, or as the same were taken, in the fifteenth year of the late King Henry the seventh, any Grant, usage or custom to the contrary notwithstanding, upon pain that every person or persons demanding or receiving more or greater petty customs than as aforesaid, shall forfeit for every such offence, double the value of what shall be exacted, or received upon more Commodities, or at greater Rates than as aforesaid; saving unto ^{Except those granted by patent to the} Wentworth Earl of Kildare, and the Heirs ^{Earls of Kildare} Males of the body of Gerald Fitz. Gerald Earl of Kildare, all such Estate, Right and title of, in, and to the great and little Customs, Poundages, Subsidies, Duties, together with the Corquet, and power of constituting Officers thereunto belonging there, the Ports, and Harbours of Strangford, and Ardglash, in the County of Down, and Province of Ulster, and the Creeks and members thereunto appertaining, as they, or any of them can or may claim or demand, by, or under any Letters Patents thereof made by King Henry the Eighth unto the said Gerald Fitz. Gerald Earl of Kildare, as fully and amply as the same was granted in and by such Letters Patents, any thing in this Act to the contrary notwithstanding.

the Rates of Merchandizes, that is to say, the Subsidie of Poundage, & the subsidy of Tunnage as they are Rated and agreed upon by the Parliament of Ireland, set down and expressed in this book, to be paid according to the tenor of the Act of poundage and Tunnage, to the use of his Majesty, his heirs and Successors for ever.

The Rates of Merchandizes. Rates Inward:

A Dzes for Coopers the dozen	00 12 00
A Aggets small as a bean the hundred dozen	00 13 04
A Aggets large the piece	00 06 06
A Alphabets the set containing twenty four	00 05 00

Alton English the hundred weight containing one hundred and twelve pound	00 10 00
Alphiti or Canary seeds the hundred weight containing one hundred and twelve pound	03 15 00
Amber { The pound	00 07 04
{ The Mast containing two pound and a half	00 08 04
{ Beads the pound	01 00 00
Anchovis the little barrel	00 07 06
And- { Or Creepers of Lattin the pound	00 01 00
irons { Of Iron wrought in England the pair	00 10 00
Andlets or Mails the pound	00 03 00
Anvils English the hundred containing one hundred and twelve pound	00 08 00
Anvile of Barbary the pound	00 03 00
Annotto the pound	00 01 00
Apples { The Bushel	00 01 00
{ The Barrel containing three Bushels	00 03 04
Aqua- { The Barrel	05 06 08
vise { The Hoghead	08 00 00
Argal white, or red, or powder, the hundred weight containing one hundred and twelve pound	01 03 04
Armour old the hundred weight containing one hundred and twelve pound	01 00 00
Arrowes for Trunks the groce containing twelve dozen	00 06 08
Askes { Pot-ashes the Barrel containing two hundred pound	02 10 00
vocat. { Wood or Soap-ashes the last containing twelve Barrels	12 00 00
Aule blades the thousand English	00 08 00
Aulgers English for Carpenters the groce	00 10 00
Aulgers Forraign for Carpenters the groce	01 00 00
Axes or Hatchets the dozen	00 06 08
B	
Babies or Puppets for Children the groce containing twelve dozen	00 13 04
Babies Heads of earth the dozen	00 10 00
Bacon of England or Wales the Flitch	00 10 00
Bacon of Westphalia and all Forraign the hundred containing one hundred and twelve pound	02 00 00
Balks { Great the hundred containing one hundred and twenty Balks	12 00 00
{ Middle the hundred containing one hundred and twenty balks	05 00 00
{ Small the hundred containing one hundred and twenty balkes	02 00 00
Bags { with Locks the dozen	02 08 00
{ with steel Rings without Locks the dozen	01 12 00
Ballances { Gold Ballances the groce containing twelve dozen pair	04 00 00
vocat. { Ounce Ballances the groce containing twelve dozen pair	02 00 00
{ The Sort containing four dozen	02 13 04
Balls { Tennis Balls the thousand	01 00 00
vocat. { Wash Balls the groce containing twelve dozen	02 00 00
Bandateers the hundred containing five score	00 16 08
Bandstrings the dozen knots	00 10 00
Bands { Flanders bands of Bonelace, the band	10 00 00
vocat { Cut work of Flanders, or any other country	20 00 00
Bankers of Verdures the dozen pieces	04 00 00
Barbers Aprons, or checks, the piece not above ten yards	00 13 04
Barlings the hundred containing one hundred and twenty	01 13 04
Barley the quarter containing eight Bushel	00 05 00
Barrillia or Sophora to make glafs the Barrel containing two hundred weight	04 00 00
Basket Rods the bundel	00 06 08
Baskets vocat. Hand baskets or Sports the dozen	00 03 04
Bafons of Lattin the pound	00 01 03
Bafts or { Knotted the dozen	00 06 08
Straw hats { plain the dozen	00 01 06
{ The Roap	00 00 00
Baft Roapes { The bundle containing ten Roaps	00 05 00
{ The hundred weight containing one hundred and twelve pound	00 08 00
Battery baftrons or Kettles, the hundred weight containing one hundred and twelve pound	09 00 00
Bayes of Florence per yard	01 00 00
{ Offbone the great groce containing twelve groce	01 10 00
{ Of box, the great groce	01 10 00
Beads { Of Corral, the pound	01 00 00
{ Of Chrifial, the thousand	03 00 00

Rates Inwards.

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Beads	{	Of glass and wood of all sorts, the great groce	00 10 00
		Of Jasper, square, the hundred stones	02 00 00
Beaupers		the piece containing twenty four or twenty five yards	01 05 00
Bells vocat.	{	Hawks Bells, French making, the dozen pair	00 05 00
		Hawkes bells, Noremborough making, the dozen pair	00 02 00
		Horse bells the small groce containing twelve dozen	00 10 00
		Dog bells, the small groce containing twelve dozen	00 01 04
		Morrice bells, the small groce, containing twelve dozen	00 10 00
		Clapper bells, the pound	00 01 00
Bellmettle, the		hundred weight containing one hundred and twelve pounds	01 13 04
Bellows, the		pair	00 02 00
Bits for bridles		the dozen	00 10 00
Boffes for bridels		the small groce, containing twelve dozen	00 10 00
Blackings, or Lampblack,		the hundred weight containing a hundred and twelve pounds	04 00 00
Blankets vocat.	{	Paris Mantles coloured, the mantle	01 05 00
		Paris Mantles or others uncoloured, the Mantle	01 00 00
Boards vocat.	{	Barrel boards the hundred containing one hundred and twenty	00 05 00
		Clapboards the hundred containing one hundred and twenty boards	00 15 00
		Past-Boards for Books the thousand	00 13 04
		Pipe boards or Pipe holt the hundred containing a hundred and 20. board	01 00 00
		White boards for shoe-makers the board	00 01 00
		Bodkins the small groce, containing twelve dozen	00 06 08
Borne spares the		hundred, containing one hundred and twenty	01 13 04
Borattoes or Bombazines	{	Narrow, the single piece, not above fifteen yards	06 00 00
		Broad, the single piece, not above fifteen yards	07 00 00
		Of Silk, the yard	00 12 00
Books unbound	{	The Basket or Maund, containing eight Bales or two Fats	08 00 00
		The Fat containing half a Maund	04 00 00
Botances, per piece			00 10 00
Bottles	{	Of Earth, covered with wicker, the dozen	00 03 04
		Of Glass, covered with wicker, the dozen	00 13 04
		Of Glass with vices covered with leather, the dozen	03 00 00
		Of Glass uncovered the dozen	00 03 00
		Of Wood called sucking Bottles, the groce containing twelve dozen	00 10 00
Boul- tel.	{	Raines the piece	00 08 00
		The Bale containing twenty pieces	08 00 00
Bows vocat.		Stone Bowes of Steel the piece	01 10 00
Bow staves		the hundred containing six score staves	04 00 00
Boxes vocat.	{	Fire or Tinder-boxes, the groce containing twelve dozen boxes	00 13 04
		Nest boxes the Groce, containing twelve dozen	02 00 00
		Pepper boxes the groce containing twelve dozen	00 15 00
Boxes vocat.	{	Spice Boxes, the dozen	00 04 00
		Round Boxes, or French Boxes for Marmelade or Jelly the dozen	00 03 00
		Sand Boxes the Groce containing twelve dozen	00 13 04
		Soap boxes the shock containing threescore boxes	01 06 08
		Touch boxes covered with leather the dozen	00 02 00
		Touch boxes covered with velvet the dozen	00 10 00
		Touch boxes of Iron or other mettle gilt the dozen	00 13 04
		Tobacco boxes the groce containing twelve dozen	01 00 00
Bracelets or Necklaces.	{	Of glass, the small groce, containing twelve bundles or dickers	00 04 00
		Red the small groce containing twelve bundles or dickers	00 04 00
Brafts	{	Laver cocks the pound	00 01 04
		Piles weights the pound	00 01 00
		Trumpets the dozen	00 12 00
		Lamps the dozen	00 10 00
Brick stones vocate.	{	The thousand brick stones	00 13 04
		Flanders Tyle to scoure with the thousand	01 06 08
		Gally Tyles the foot	00 00 08
		Paving Tyles the thousand	02 00 00
Bridles the dozen			00 15 00
Broches of Lattin or Copper,		the groce containing twelve dozen	00 12 00
Brafts Scales and weights		the dozen pair	00 03 02
Brushes for hats and cloaths		the dozen	00 05 00

Brushes	Beard brushes, the groce containing twelve dozen	00 06 08
	Of Heath, coarse the dozen	00 03 00
	Of Heath, fine or head brushes the dozen	00 06 08
	Of Hair called Head brushes the dozen	00 16 08
	Of Heath called rubbing brushes the dozen	00 01 00
	Of Hair called comb brushes the groce containing twelve dozen	00 13 04
Brimstone	Of Hair, vocat. Weavers brushes the dozen	00 05 00
	Of Hair, vocat. rubbing brushes the dozen	00 01 04
Brimstone	the hundred weight containing one hundred and twelve pound	00 06 08
Bristles	{ Rough or undrest, the dozen pound	00 05 00
	{ Drest the dozen pound	00 10 00
Buckrams	{ Of Germany or fine, per piece	00 10 00
	{ Of East Country the roul or half piece	00 05 00
	{ Of French making the dozen pieces	02 10 00
Buckles	{ vocat. Carrick buckrams, the short piece	00 02 00
	{ For girdles the small groce containing twelve dozen	01 00 00
	{ For girls the groce containing twelve dozen	00 07 06
Buffs, Mucedoes and Lyle-grams.	{ Narrow the single piece not above fifteen yards	03 00 00
	{ Broad the single piece not above fifteen yards	04 10 00
Baggies, or coloured buckrams	the half piece	00 05 00
Bugles	{ Great the pound	00 04 00
	{ Small or seed bugle the pound	00 06 08
	{ Lace the pound	00 08 00
Bullions for purses,	the groce containing twelve dozen	00 10 00
Bulrushes	the load	01 00 00
Burrs for Mil-stones	the hundred containing five score	02 10 00
Buskins of Leather	the dozen pair	04 00 00
Bustians	the single piece, not above fifteen yards	02 00 00
Butter	{ The Barrel	01 10 00
	{ Of England the hundred weight containing one hundred and twelve pound	01 10 00
	{ Of Bugle, Steel, Copper or Lattin, the great groce, containing 12 small groce } every groce twelve dozen	01 06 08
Buttons	Of Chrystal the dozen	00 04 00
	Of Glass the great groce containing twelve small groce	00 13 04
	Of thred the great groce containing twelve small groce	00 10 00
	Of silk the great groce containing twelve small groce	01 00 00
	Of fine Damask work the dozen	00 10 00
	Of Bugle the dozen	00 00 08
	For Handkerchiefs the groce containing twelve dozen	02 00 00
	Of Hair the groce containing twelve dozen	00 02 00
C.		
Cabinets or	{ Small the piece	01 00 00
Countors	{ Large the piece	02 00 00
Cables tarred or untarred,	the hundred weight containing one hundred and twelve pound	00 13 04
Cruel Ribband	the dozen pieces: every piece containing thirty six yards	01 10 00
Calve-skins in the hair, the piece,		00 01 08
Cambogium, vide Drugs		
Cameletto, half silk half hair, the yard foreign		01 00 00
Candles of Tallow	the pound	00 00 06
Candle plates or Wallers of Brass or Lattin	the pound	00 01 04
Candlesticks	{ Of brass or lattin the pound	00 01 08
	{ Of Wyre the dozen	00 06 08
Candlewick	the hundred weight containing one hundred and twelve pounds	04 00 00
Canes or Reeds	the thousand	02 10 00
Of Wood	the dozen	00 04 00
The shock containing sixty Canes		01 00 00
Can't-spars	the hundred containing six score	01 13 04
Capers	the pound	00 00 06
Capravens	the hundred containing six score	03 13 04
Cap-hooks or hooks ends,	the groce containing twelve dozen	00 15 00
Caps vocat.	{ Double tufted or cocked Caps the dozen	02 08 00
	{ For Children the dozen	01 00 00
	{ Night Caps of Sattin and Velvet the dozen	03 00 00
	Night Caps of silk knit the dozen	00 00 00

Rates Inwards.

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Caps vocat.	Night Caps of Woollen the dozen	01 00 00
	Night Caps of Linnen the dozen	00 08 00
	Playing Cards the groce containing twelve dozen pair	04 00 00
Cards vocat.	Wool Cards old, the dozen pair	00 06 00
	Wool Cards new, the dozen pair	00 10 00
Carpets vocat.	Of Tunney, the piece containing two yards and a half	01 10 00
	Of England or Scotland, the piece	00 13 04
	Of Cornex, the carpet two yards and a half long	01 05 00
	Brunswick carpets stript or unstript the piece	00 10 00
	China, of Cotton the piece	00 04 00
	Gentish, the dozen	03 00 00
	Turkey or Venice short, the piece	01 10 00
Carrells,	Turkey or Venice long, containing four yards and upwards	08 00 00
	Of Persia the yard square, the yard	02 05 00
	the piece containing fifteen yards	01 06 08
Cases for Looking-Glasses guilt	Of Number three and four the dozen	00 04 00
	Of Number five and six the dozen	00 07 00
	Of Number seven and eight the dozen	00 10 00
	Of Number nine and ten, and upwards the dozen	00 13 04
Cases for Looking-glasses unguilt	Of Number three and four the dozen	00 02 00
	Of Number five and six the dozen	00 03 06
	Of Number seven and eight the dozen	00 05 00
	Of Number nine and ten the dozen	00 10 08
Cassies	With wooden combs garnished the dozen	01 00 00
	With small Ivory combs garnished the dozen	01 06 08
	With middle sort Ivory combs garnished the dozen	02 00 00
	With large Ivory combs garnished the dozen	04 00 00
	For combs single the groce containing twelve dozen	01 00 00
	For combs double the groce containing twelve dozen	02 00 00
	For Spectacles the groce guilt containing twelve dozen	01 06 08
	For Spectacles the groce unguilt containing twelve dozen	00 13 04
	For Needles, or pin-cases, the groce containing twelve dozen	00 13 04
	For Needles French guilt the dozen	00 05 00
Caskets	Of Iron, small, the dozen	01 10 00
	Of Iron, middle sort, the dozen	02 08 00
	Of Iron large, the dozen	03 00 00
	Of Steel, the dozen	06 00 00
Caveare,	the hundred weight, containing one hundred and twelve pound	01 00 00
Cauls of Linnen for Women	the dozen	00 08 00
Cauls of Silk	the dozen	01 06 08
Cisterns of Lattin	the pound	00 01 04
Chafin-dishes	Of Brass or Lattin the pound	00 01 04
	Of Iron the dozen	00 13 04
Chains	For Keys or Purfes fine, the dozen	00 08 00
	For Dogs, course, the dozen	00 03 04
Chairs of Walnut tree	the piece	00 10 00
Chamlets	Unwatered, or Mohair, the yard	00 03 00
	Watered the yard	00 05 00
	Half silk Half hair the yard	00 10 00
Cheese	the hundred weight containing one hundred and twelve pound	00 06 08
Cherries	the hundred weight, containing one hundred and twelve pound	01 00 00
Chests-boards	the dozen	01 00 00
Chests	Chests-men the groce containing twelve dozen	00 12 00
	Of Iron small or middle sort the piece	05 00 00
	Of Iron, large, the piece	06 13 04
	Of Cypress wood the nest containing three chests	01 10 00
	Of spruce or Dansk the nest containing three chests	01 10 00
Chimney	Painted the dozen	02 00 00
	Small the piece	00 06 08
Chimney	Large the piece	00 13 04
China pease	the pound	00 03 04
Chisels for Joiners	the dozen	00 04 00
Cittrens	the dozen	03 00 00
Clapholt or claphoard	The small hundred containing six score boards	02 15 00

Adiantum Album the pound	00 00 08
Adiantum Nigrum the pound	00 00 06
Agaricus or Agarick the pound, trimmed or pared	01 00 00
Agaricus rough or untrimmed, the pound	00 05 00
Agnus Castus seeds the pound	00 01 00
Aleacet Roots the pound	00 01 00
Alkermes { Syrup the pound	00 06 08
{ Confectio the ounce	00 04 00
Aloes Succotrina the pound	00 05 00
Aloes Epatica the pound	00 02 00
Allom Romish or Roach the hundred containing one hundred and twelve pound	01 00 00
Amber greece black or gray the ounce Troy	03 00 00
Ameous seeds the pound	00 00 08
Amomy seeds the pound	00 08 00
Anacardium the pound	00 03 04
Angelica the pound	00 01 00
Antimonium præparatum or Stibium the pound	00 00 08
Antimonium crudum the hundred weight containing one hundred & twelve pound	01 00 00
Argentum subline, or Lymum the pound, or Quicksilver	00 03 00
Aristolochia longa, or Rotunda the pound	00 01 04
Arsenick white or yellow, or Rosealger the pound	00 00 04
Asarum roots, the pound	00 01 00
Asphalathus the pound	00 01 06
Assafoetida the pound	00 01 02
Almonds bitter the hundred weight, containing one hundred and twelve pound	02 00 00
Alumen plume the pound	00 01 00
Balaustium the pound	00 02 06
Balsamum the pound artificial	00 03 04
Balsamum the pound natural	00 10 00
Bayberries the hundred and twelve pound	00 13 04
Barly huld or French barly the hundred and twelve pound	01 00 00
Bdellium the pound	00 02 06
Benalburn or Rubium the pound	00 02 00
Benjamin of all sorts the pound	00 05 00
Bezar stone of West-Indies the ounce Troy	00 10 00
Bezar stone of the East-Indies the ounce Troy	03 00 00
Black lead, the hundred and twelve pound	01 10 00
Batta Byzantia the pound	00 02 00
Bolus communis or armoniacus the hundred weight containing 112 pound	00 06 08
Bolus verus the pound, or fine bole	00 00 08
Borax in paste or unrefined, commonly called Tinckull the pound	00 03 04
Borax refined the pound	00 13 04
Bunkins, hollywortles, or pistolochia the pound	00 02 06
Calamus the pound	00 00 08
Camphire the pound refined	00 05 00
Camphire unrefined the pound	00 02 06
Cancro oculus the pound	00 04 00
Cantharides the pound	00 05 00
Carraway seeds one hundred and twelve pound	01 04 00
Cardomomes the pound	00 03 00
Carpo balsami the pound	00 04 00
Carraby or Succinum the pound	00 01 00
Carthamus seeds the pound	00 00 08
Cassia Fistula the pound of all sorts	00 01 06
Cassia Lignea the pound	00 01 08
Castoreum, or Beaver cods the Pound	00 10 00
Cerussa the hundred and twelve pound	00 10 00
China roots the pound	00 06 08
Ciceres white and red the pound	00 00 06
Cyprus longus and rotundus one hundred and twelve pound	01 13 04
Cyprus nuts the pound	00 00 08
Civet the ounce Troy	02 00 00

Drugs
called

Coculus Indæ the pound	00 02 00
Colequintida the pound	00 02 00
Corral white or red in fragments for Physical use the pound	00 03 04
Corral whole the pound	01 00 00
Coriander seeds the hundred and twelve pound	01 00 00
Cortex guaiaci the hundred and twelve pound	03 00 00
Cortex caperum the pound	00 01 00
Cortex tamarisci the pound	00 00 08
Cortex mandragoræ the pound	00 02 00
Coscus dulcis & amarus the pound	00 01 08
Cubebæ the pound	00 01 04
Cummin seeds the hundred and twelve pound	01 13 04
Cuscuta the pound	00 01 00
Cyclamen or panis porcinus the pound	00 02 00
Citrage the pound	00 01 00
Cetrach the pound	00 01 00
Cinabrium, or Vermilion the pound	00 02 06
Coperås { white the hundred and twelve pound	02 00 00
{ Blew of Dantzick or Hungary the hundred and twelve pound	00 12 00
Cambogium, or Gutta Gambæ the pound	00 03 04
Chrifall in broken pieces for physickal uses, per pound	00 03 04
Carlina the pound	00 01 00
Carolina the pound	00 00 04
Cortex winteranus the pound	00 00 08
Daucus creticus the pound	00 04 00
Diagredium, or Scammony the pound	01 00 00
Diptamus { Leaves the pound	00 01 00
{ Roots the pound	00 01 06
Doronicum the pound	00 02 06
Elleborus albus & niger the pound	00 00 08
Epithemum the pound	00 01 00
Es Ulum the pound	00 01 04
Euphorbium the pound	00 00 08
Fennel seeds the pound	00 00 06
Fenugreek the hundred and twelve pound	00 15 00
Flory the pound	00 03 00
Folium Indæ the pound	00 05 00
Fox lungs the pound	00 03 00
Frankincense of France or Parrofin the hundred and twelve pound	00 12 00
Galbanum the pound	00 01 06
Galanga the pound	00 01 06
General the pound	00 01 04
Gentiana the pound	00 00 06
Ginny pepper the pound	00 01 00
Grana Pinæ the pound	00 01 00
Green ginger the pound	00 02 00
Gum animi the pound	00 01 00
Gum armoniack the pound	00 01 00
Gum carrannæ the pound	00 04 00
Gum elemni the pound	00 10 00
Gum hederæ the pound	00 04 00
Gum lack the pound	00 01 00
Gum saracol the pound	00 01 06
Gum opopanax the pound	00 06 08
Gum serapinum, or sagapenum the pound	00 01 00
Gum taccamahaccæ the Pound	00 04 00
Gum tragagant the pound	00 01 00
Grana tinctorum the pound	00 02 00
Grains of Guiny, or French Grains the hundred and twelve pound	01 10 00
Gum Arabick, or Gum Seneca the hundred and twelve pound	01 10 00
Gum sandrak, or Gum Juniperi the hundred and twelve pound	01 08 00
Gum guaiaci the pound	00 05 00
Gum caramen the pound	00 00 06

Hermodeaculus the pound	00 02 00
Hypocistis the pound	00 02 00
Horns of Harts or Stags the hundred	01 10 00
Incense or Olibanum the hundred and twelve pound	05 00 00
Ireos the hundred and twelve pound	02 10 00
Iron glass the hundred and twelve pound	05 00 00
Jujubes the pound	00 01 00
Jolop the pound	00 04 00
Juniper berries the hundred and twelve pound	01 09 00
Labdanum or Lapodorum the pound	00 01 00
Lapis calaminaris the hundred and twelve pound	00 16 08
Lapis hematitis the pound	00 01 00
Lapis judaicus the pound	00 01 00
Lapis tutia the pound	00 01 00
Lapis lazuli the pound	00 10 00
Leaves of Roses, the pound	00 01 00
Leaves of violets, or Flowers the pound	00 00 08
Lyntiscus or Xylobalsamum the pound	00 01 08
Lignum aloes the pound	00 10 00
Lignum asphaltum the pound	00 01 00
Lignum Rodium the hundred and twelve pound	00 10 00
Lignum vitæ the hundred and twelve pound	00 10 00
Litharge of Gold the hundred and twelve pound	00 12 00
Litharge of Silver the hundred and twelve pound	00 10 00
Locusts the pound	00 01 04
Lupins the hundred and twelve pound	00 10 00
Lentils the pound	00 00 03
Lapis contrayerva the ounce	00 05 00
Lignum nephreticum the pound	00 04 00
Madder roots or rubea tinctorum the pound	00 01 00
Manna the pound	00 02 06
Marmalade the pound	00 01 00
Massick white the pound	00 03 04
Massick red the pound	00 01 00
Meehoacan the pound	00 02 06
Mercury sublimate the pound	00 03 00
Mercury precipitate the pound	00 06 08
Mithridate Venetia the pound	00 10 00
Millium solis the pound	00 01 00
Mirabolanes dry the pound	00 01 00
Mirabolanes condited the pound	00 01 08
Mirtle berries the pound	00 01 00
Mummiæ the pound	00 01 00
Musk the ounce Troy	02 00 00
Musk cods the dozen	02 00 00
Mirra the pound	00 03 00
Nigella the pound	00 00 08
Nitrum the pound	00 02 00
Nutmegs condited the pound	00 04 00
Nux de benne the pound	00 01 00
Nux cupressi the pound	00 00 08
Nux indica the piece	00 00 06
Nuxvomica the pound	00 00 08
Nardus celtica, or spica romana the hundred and twelve pound	05 12 00
Nux pini, or grana pini the pound	00 01 00
Olibanum, or incense the hundred and twelve pound	05 00 00
Opium the pound	00 10 00
Osippium haeredum the pound	00 00 06
Orcant or Almet the pound	00 01 00
Orange } Oyntment the pound	00 02 06
Flower } water the gallon	00 05 00
Origanum the pound	00 00 08
Ossa de corde cervi the pound	02 00 00

Drugs
called

Drugs
called

Oyl of Amber the pound	00 10 00
Oyle of Rosemary the pound	00 08 00
Oyle de bay the hundred and twelve pound	02 00 00
Oyle of Mace or Nutmegs the pound	00 06 00
Oyle de Bene the pound	00 06 08
Oyle of Spike the pound	00 01 08
Oyle of Almonds the pound	00 01 00
Oyle of Scorpions the pound	00 02 08
Oleum petroleum the pound	00 01 08
Oleum turpentine the pound	00 00 06
Orabas the pound	00 00 06
Orpment, auripigmentum the hundred and twelve pound	02 00 00
Parther the pound	04 00 00
Panis porcinus Vide Ciclamen	
Pearl seeds the ounce Troy	00 03 04
Pellitorie the pound	00 00 06
Pepper long the pound	00 01 00
Perrosen, vide Frankcense	
Piony seeds the pound	00 00 08
Pistachias, or nux pistachia the pound	00 01 00
Pix Burgundy the hundred and twelve pound	00 15 00
Polium montanum the pound	00 00 08
Polypodium the pound	00 00 04
Pomgranate pills the hundred and twelve pound	02 00 00
Poppie seeds the pound	00 00 08
Precipitate Vide Mercury	
Psyllum the pound	00 00 08
Prunellas or pruens of Brunelia the pound	00 01 00
Quick silver Vide Argentum Vivum	
Rhaponticum the pound	00 13 04
Radix Efulæ the pound	00 01 00
Red-lead the hundred and twelve pound	00 16 08
Rhabarbarum or Rubarb the pound	01 00 00
Rosealger, vide arsnick	
Rosset the pound	00 00 06
Radix contrayerva the pound	00 03 04
Radix scorcionera the pound	00 03 04
Radix peoniae the pound	00 00 08
Sal alkali the pound	00 04 00
Sal armoniacum the pound	00 01 08
Sal gem the pound	00 00 08
Sal nitri the pound	00 01 06
Sandracha or gum Juniperi the hundred and twelve pound	01 08 00
Sandiver the hundred and twelve pound	00 10 00
Sanguis Draconis the pound	00 03 04
Sarsaparilla the pound	00 03 04
Sassafras wood or roots the hundred and twelve pound	01 00 00
Sanders white the pound	00 01 00
Sanders yellow the pound	00 02 00
Sanders red, alias stock the hundred and twelve pound	04 00 00
Scamonium, vide diagredium	
Scineus marinus the piece	00 00 04
Scordium the pound	00 00 06
Scorpions the piece	00 00 03
Sebestines the pound	00 01 00
Seeds for Gardens of all sorts the pound	00 00 08
Seler montanus the pound	00 00 08
Semen cucumeris cucurb. citrul melon the pound	00 00 08
Sena the pound	00 02 06
Soldonella the pound	00 00 08
Sperma ceti fine the pound	50 00 00

Sper.

Rates Inwards.

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00	00	Sperma ceti court Oyle, the hundred and twelve pound	04 00 00
8	00	Spica celtica vide nardus celtica, or spica Romana	
00	00	Sanguis hirci the pound	00 01 00
6	00	Spicknard the pound	00 06 08
6	08	Spodium the pound	00 01 06
08	00	Spunges the pound	00 03 04
08	08	Squilla the hundred and twelve pound	01 05 00
08	08	Squinanthum the pound	00 03 04
06	06	Stechados the pound	00 00 10
06	06	Staphisager one hundred and twelve pound	02 00 00
00	00	Stibium, vide antimonium præparatum	
00	00	Storax calamita the pound	00 05 00
04	06	Storax liquida the pound	00 01 00
00	00	Succus liquiritiæ the pound	00 01 00
04	06	Sulphur vivum the pound	00 00 08
00	00	Tamarinds the pound	00 00 10
08	00	Terra lemnia the pound	02 05 00
00	00	Terra sigillata the pound	00 03 00
00	00	Thlaspii semen the pound	00 01 00
08	00	Tornfal the pound	00 00 08
04	00	Trochisci de vipera the Ounce Troy	00 05 00
08	00	Treacle common the pound	00 02 00
04	00	Treacle of Venice the pound	00 10 00
08	00	Turbith the pound	00 05 00
00	00	Turbith Phasiz the pound	00 02 00
08	00	Turmeric the pound	00 01 00
00	00	Turpentine of Venice, Scio or Cyprus the pound	00 10 08
08	00	Turpentine common the hundred and twelve pound	00 10 00
04	00	Talk white the pound	00 00 06
08	00	Talk green the pound	00 02 00
00	00	Verdegreece the pound	00 01 08
08	00	Vernish the hundred and twelve pound	02 00 00
00	00	Vermillion, vide cinabrum the pound	
08	00	Vitriolum Romanum the pound	00 01 00
04	00	Umber the hundred weight containing one hundred and twelve pound	01 00 00
08	00	Viscus quercinus the pound	00 04 00
00	00	White lead the hundred and twelve pound	01 00 00
08	00	Wormseeds the pound	00 03 04
04	00	Xylobalsamum, vide Lintifcus	
08	00	Zedorea the pound	00 03 04

E.

Earlings the groce containing twelve dozen	01 00 00
Ebony wood the hundred weight of one hundred and twelve pound	01 00 00
Elephants teeth, the hundred containing five score	06 13 04
Emery stones the hundred weight, containing one hundred and twelve pound	00 08 00

F.

Fans	For Corn the piece	00 06 08
	Of paper the dozen	00 06 08
	For women and children of French making the dozen	02 00 00
Feathers	For beds the hundred and twelve pound	02 00 00
	Vocat, Eltridge or Ostridge feathers undrest the pound	01 00 00
Featherbeds old or new, the piece		01 13 04
Felts for cloks French making three yards and half long, one yard and half broad the felt		04 00 00
Fiddles for children the dozen		00 03 04
Fire-shovels the dozen		00 13 04
Fire-shovel plates the hundred weight containing one hundred and twelve pound		00 13 04
Figure to the yard		00 08 04
Files the groce containing twelve dozen		00 01 00
Fish	Codfish the barrel	01 00 00
vocat	Codfish the last containing twelve barrels	12 00 00
	Codfish the hundred containing six score	04 00 00
	Cods heads the barrel	00 03 04
	Colefish the hundred containing six score	01 00 00

T tttt

Fish

Rates Inwards.

	Pimper Eels the Barrel	01 00 00
	Shatt, kinc, or Dole Eels the Barrel	01 10 00
Eels vocat.	Spruce Eels the Barrel	02 00 00
	Scub Eels the Barrel	02 06 08
	Quick Eels the ships lading	20 00 00
Gullfish the barrel		00 16 08
Haddocks the barrel		00 16 08
	White full or shotten the barrel	01 00 00
Herrings	White full or shotten the last containing twelve barrels	12 00 00
	Red the cade containing five hundred	01 00 00
	Red the last containing twenty cade	12 06 08
Lampreys the piece		00 01 00
Fish vocat.	Lings of all sorts the hundred containing six score	06 13 08
	Small the hundred containing six score	00 10 00
Newland	Middle for; the hundred containing six score	01 00 00
	Fish great the hundred containing six score	01 10 00
Salmon	The barrel	02 00 00
	Girls the barrel	00 15 00
Seal fish the fish		00 13 04
Crop-	The hundred containing six score	00 13 04
lings	The last containing a thousand	06 13 04
Lubfish	The hundred containing six score	01 06 08
	The last containing a thousand	13 06 08
Tidlings	The hundred containing six score	00 06 08
	The last containing a thousand	03 06 08
	Whiting the barrel	00 10 00
Flasks	Covered with Leather the dozen	00 05 00
	Covered with velvet the dozen	02 00 00
	Of horn the dozen	00 06 08
Flax vocat	Spruce, Muscovy, & all other flax undrest the hundred and twelve pound	01 00 00
	Drest or wrought Flax the hundred and twelve pound	10 00 00
Fleames to let blood the piece		00 00 02
Flocks the hundred weight containing one hundred and twelve pound		02 00 00
Flutes course the groce containing twelve dozen		01 00 00
Freeze the yard		00 01 00
Frizado the piece containing twenty four yards		08 00 00
	Armins the Timber containing forty skins	02 00 00
	Badger skins the piece	00 02 00
	Bears skins black or red the piece	01 00 00
	Bears skins white the piece	02 00 00
	Beaver skins the whole piece	00 05 00
	Beaver wombs the piece	00 01 08
	Budge White tawed the hundred containing five score skins	02 00 00
	Black tawed the dozen skins	01 06 08
	Black untawed the hundred, containing five score skins	03 10 00
	Poules the fur, containing four panes	01 00 00
	Navern the hundred legs containing five score	00 08 04
	Rumney the hundred legs containing five score	00 06 08
Furs vocat	Calaber untawed, the Timber containing forty skins	00 06 08
	Calaber tawed the Timber containing forty skins	00 08 00
	Calaber Seasoned the pane	01 00 00
	Calaber Stag the pane	00 12 06
	Calaber skins the hundred containing five score	02 00 00
	Cats Poules the hundred containing five score	01 00 00
	Cats Pouls the Mantle	00 06 03
	Dockerrers The timber containing forty skins	00 13 04
	the timber containing forty skins	00 13 04
Fitches	The pane or Mantle	00 12 06
	The Black Fox skin	10 00 00
	The ordinary skin	00 01 04
Foxes	Wombs pouts or pieces the pane	00 10 00
	The pane or Mantle	00 15 00

Rates Inwards.

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	Backs the dozen	00 13 04
	Tails the pane or mantle	00 12 06
	With tails the piece	00 03 04
Foynes	Without tails the piece	00 04 04
	Raw the piece	00 01 00
	Pouts the hundred, containing five score	01 06 08
	Wombs seasoned the pane or mantle	01 06 08
	Wombs Stag the pane or mantle	00 15 00
Grayes	Untawed, the Timber containing forty skins	00 08 04
	Tawed the Timber, containing forty skins	00 12 06
	Black raw the skin	00 12 06
Jennets	Black seasoned the skin	00 16 08
	Gray raw the skin	00 03 00
	Gray seasoned the skin	00 04 00
Letwis	Tawed, the Timber containing forty skins	00 08 04
	Untawed, the Timber containing forty skins	00 06 00
	Skins the piece	01 05 00
Leopards	Wombs the pane	05 00 00
	The timber containing forty skins	10 00 00
	The pane or mantle	09 00 00
Matrons	Pouts the pane or mantle	00 10 00
	Gills the Timber containing forty skins	00 12 00
	Tails the hundred containing five score	02 00 00
Miniver the	mantle	00 13 04
	Untawd the Timber containing forty skins	03 00 00
	Tawed the Timber containing forty skins	04 00 00
	Mould skins the dozen	00 00 06
	Otter the piece	00 05 00
Minks	Ounce skins the piece	00 12 06
	Sables of all sorts the Timber containing forty skins	30 00 00
	Weasel skins the dozen	00 00 04
	Tawed the piece	01 10 00
Wolf skins	Untawed the piece	01 03 00
	Woolverings the piece	00 12 06
	James, Millians, & Bermillian English and the like English manufactures of	01 10 00
	thred the whole piece	
	Amsterdam, Holland or Dutch Fustians the piece containing two half pieces	06 00 00
	of 15 yards the half piece	
	Barmillians the piece, containing two half pieces	06 00 00
	Cullen Fustians the piece, containing two half pieces	06 00 00
	Holmes and Bevernex Fustians the Bail containing two half pieces	00 00 00
Fustians	Holmes and Bevernex Fustians the piece containing two half pieces	02 14 00
vocat.	Jean Fustians the piece containing two half pieces	02 05 00
	Millain Fustians the piece containing two half pieces	06 00 00
	Naples Fustians tripe or velure plain, the half piece containing 15 yards and half	06 00 00
	Naples Fustians tripe or velure plain the piece containing seven yardes	03 00 00
	Naples Fustians tripe or velure plain the yard	00 08 00
	Naple Fustians wrought, vocat. Sparta Velvet the half piece containing seven	04 10 00
	yardes and a half	
	Naples Fustians wrought, or Sparta Velvet the yard	00 12 00
	Osbrow or Augusta Fustians the piece containing two half pieces	03 00 00
	With filke the yard	00 06 00
	Of Weasel the piece containing two half pieces	06 00 00
		00 02 06
Fusties of Cloves the pound		
	G.	
Gadza of all sorts, without Gold or Silver the yard		00 02 08
Gadza stript with Gold or Silver the yard		00 05 00
Galley dishes the dozen		00 01 06
Garnets		01 00 00
	Small rough, the pound	03 00 00
	Small or great cut, the pound	00 04 00
Gauntlets the pair		03 00 00
Garters of silk, French making the dozen		

Galls

Galls the hundred weight containing one hundred and twelve pound	01 00 00		
Gimlets for Vintners the dozen	00 08 00		
Girdles.	Of Cruel the groce containing twelve dozen	01 06 08	
	Of Leather the groce containing twelve dozen	01 13 04	
	Of Silk the dozen	01 00 00	
	Of Velvet the dozen	02 00 00	
	Of Woollen the dozen	00 16 00	
Glasses for windows vocat.	Of Counterfeit Gold and Silver the dozen	00 10 00	
	Burgundy white, the Chest	02 10 00	
	Burgundy coloured, the Chest	03 10 00	
	Normandy white the Case	01 00 00	
	Normandy coloured, the Case	02 10 00	
Drinking Glasses vocat.	Rhenish the Way or Web containing sixty bunches	03 00 00	
	Muscovy Glafs or flade the pound	00 02 00	
	Venice drinking Glasses the dozen	00 12 00	
	Flanders drinking Glasses the hundred Glasses	00 16 08	
	Scotch and French drinking Glasses the hundred containing five score	00 10 00	
Glasses vocat.	Courfe drinking Glasses the dozen	00 02 00	
	Burning Glasses the dozen	00 02 00	
	Balm Glasses the groce containing twelve dozen	00 05 00	
	Vials the hundred containing five score	00 10 00	
	Water Glasses the dozen	00 08 00	
Looking-Glasses vocat.	Half penny Glasses the groce containing twelve dozen	00 08 00	
	Penny ware the groce containing twelve dozen	00 10 00	
	Of Steel small the dozen	00 13 04	
	Of Steel large	01 06 08	
	Of Christal small the dozen under number six	01 10 00	
Hour Glasses	Of Christal middle fort the dozen, number six	03 00 00	
	Of Christal small the dozen, number seven, eight, nine, ten	06 00 00	
	Of Christal the dozen, number eleven, twelve	45 00 00	
	Memorandum, That the said Numbers are accounted as Inches.		
	Of Flanders making, courfe, the groce containing twelve dozen	02 00 00	
Glas plates or fight for Looking Glasses unfild Glas Pipes	Of Flanders making, the dozen fine	00 13 04	
	Of Venice making the dozen	02 00 00	
	Glas stone plates for Spectacles rough the dozen	00 13 04	
	Of Christal small under number six, the dozen	01 00 00	
	Of Christal number six, the dozen	02 00 00	
Glew the hundred weight, containing one hundred and twelve pound	Of Christal number seven, eight, nine, ten the dozen	04 00 00	
	Of Christal number eleven, twelve the dozen	30 00 00	
	Small the pound	00 05 00	
	Great the hundred weight containing one hundred and twelve pound	05 00 00	
	Small the pound	01 00 00	
Globes	Large the pair	02 00 00	
Gloves of all forts the dozen		01 00 00	
Gold and Silver thred Right, the pound containing twelve ounces Venice weight		02 00 00	
Gold foil, the small groce containing twelve dozen		00 06 08	
Gold paper the small groce containing twelve dozen		00 13 04	
Grains French or Guiny the pound		00 00 08	
Grains, or Scarlet powder, the pound		00 06 08	
Grains of Sevil in Berries, or Grains of Portugal or Rotta the pound		00 03 04	
Grindstones the Chalder		00 13 04	
Grocery Wares vocat.	Almonds the hundred weight containing one hundred & twelve pound	03 00 00	
	Aniseeds the hundred weight, containing one hundred and twelve pound	03 00 00	
	Cloves the pound	00 08 00	
	Curran the hundred weight containing one hundred and twelve pound	04 00 00	
	Dates the hundred weight containing one hundred and twelve pound	04 10 00	
	Ginger	Of the East-Indies the pound	00 03 00
		Of the West-Indies the pound	00 01 04
		Of the English plantation the hundred and twelve pound	01 00 00
	Liquorish the hundred weight containing one hundred and twelve pound	01 10 00	
	Maces the pound	00 15 00	
	Nutmegs the pound	00 06 00	

Grocery wares vo- cat.	Pepper the pound	00 02 00
	Cinamon the pound	00 06 08
	Raisins of all sorts the hundred weight containing 112 pounds	02 03 04
	Figs the hundred containing 112 pounds	01 00 00
	Prunes the hundred weight containing 112 pounds	00 12 00
	Candy, the hundred weight containing 112 pounds	08 00 00
	Candy white, the hundred weight containing 112 pound	12 00 00
	White of the English plantation, the hundred wei. containing 112 pound	05 00 00
	Muscovadoes the hundred weight containing 112 pound	01 10 00
	White Sugar forraign or imported from any forraign place, the hundred weight containing a hundred and twelve pound	09 06 08
	Refined double or single in loafes made in England the 100 containing 112 pounds	06 00 00
	Saint Thome and Panellis, the 100 weight containing 112 pounds	01 00 00
	Turkey Grogams the yard	00 03 09
	Guns { Callivers the piece	00 15 00
	vocat. { Muskets the piece	00 05 00
	Gunpowder { Serpentine the 100 weight containing a hundred and twelve pound	00 08 00
	vocat. { Corn powder the 100 weight containing 112 pounds	00 02 00
	Guilt the piece	00 13 04
	Unguilt the piece	00 07 04
	With wooden handles or without the dozen	00 04 00
Hammers	Vocat. Horsemens Hammers the dozen	00 13 04
	Hankerchieves the dozen	03 00 00
Harnes	Roses the thousand	00 01 00
	Corselets compleate the piece	01 00 00
Harnes vocat.	Curats the piece	00 12 06
	Morrians or head pieces graven the piece	00 10 00
Harpstrings	Morrians or head pieces plain, the piece	00 05 00
	catlings the groce containing twelve dozen	00 05 00
Hatbands	the Groce containing twelve dozen	05 00 00
	Hats of Beaver Wool or haire the Hat	05 00 00
All other Hats	the piece	01 00 00
	Hawks hoods the groce containing twelve dozen	01 06 08
Haire Buttons for sieves, the groce containing twelve dozen		00 10 00
	Camels hair the Pound	00 01 00
Hair vocat.	Elks hair for Saddles the 100 weight containing 112 pounds	00 12 06
	Goats hair the 112 pounds	00 01 00
Headings for Pipes, Hogheads or Barrels, the hundred containing six score		00 06 08
	Heath for brushes the 100 weight, containing a hundred and twelve pound	01 00 00
Hemp vocat.	Hemp short drest, the hundred weight containing 112 pound	06 00 00
	Cullen or Steel hemp and all other sorts of drest Hemp, the 100 weight containing a hundred and twelve pound	10 00 00
Hemp vocat.	pruce, Muscovia and all other rough Hemp, the 100 weight containing 112 pounds	00 13 04
	Buff Hides, the Hide	01 00 00
Hides	Cow Hides of Barbary and Muscova, the Hide	00 05 00
	Cow or Horse hides tanned, the piece	00 10 00
Hides vocat.	Cow or Horse Hides in the hair, the piece	00 05 00
	India hides, the hide	00 08 04
Losh hides, the piece		00 05 00
	Red or Muscova hides tanned, coloured or uncoloured, the hide	00 06 08
Hilts	Swords and daggers, the dozen	02 00 00
	The Barrel	02 00 00
Honey	The Tun	12 00 00
	for Pipes or hogheads the hundred weight containing 112 pounds	01 06 08
Hoops	for Coopers the thousand	01 06 08
	Of all sorts, the hundred weight containing 112 pounds	02 00 00
Horse and Mares, Geldings and Nags, the piece		00 05 00
	Hose of Cruel, vocat. Mantua Hose the pair	00 10 00
I.		
Jcat the pound		00 03 04
	Jews Trumps the Groce containing twelve dozen	00 10 00

Imperlings blew or red the dozen	01 10 00
Ink for Printers the hundred weight, containing one hundred and twelve pound	02 00 00
Ink-hornes { The groce containing twelve dozen	03 00 00
{ Of Glas the dozen	00 12 00
{ Unwrought the pound	00 02 00
Inkle { Wrought the dozen pound	06 00 00
{ Rowls the dozen pieces containing thirty six yards the piece	04 00 00
Indico of all sorts the pound	00 03 14
Indego dust the pound	00 01 08
{ Bullet skrews the dozen	00 04 00
{ Incision, sheers the dozen	00 05 00
Instruments for Barbers { Sets, the bundle containing sixteen	00 02 00
and Chirurgions vocat. { Paces or Toothdrawers the dozen	00 05 00
{ Pullicanes the dozen	00 05 00
{ Trepanes the dozen	00 10 00
{ Amys, Spanish, Spruce, and Swethish the tun	24 00 00
{ Backs for Chimneys small the piece	00 06 08
{ Backs for Chimneys large the piece	00 13 04
Iron { Bands for Kettles the hundred weight containing one hundred and twelve pound.	02 00 00
{ Fire Irons the groce containing twelve dozen	00 10 00
{ Hoops the hundred weight containing one hundred and twelve pound	01 06 08
Indico of the English Plantation, the pound	00 01 00
Iron Ore and Cinders the Tun	00 10 00
Juice of Lemmons the Pipe	04 00 00
Ivory, the pound	00 10 00

K.

Keyknops the groce containing twelve dozen	01 00 00
Almire, Bohemia and all other course Knives the Dicker containing ten Knives	00 03 00
Butchers Knives the Dicker containing ten Knives	00 03 00
Carving Knives the dozen	03 00 00
Knives vocat Cullin Knives the groce containing twelve dozen	08 00 00
French Knives the bundle containing twelve dozen	04 00 00
Glovers Knives the bundle containing six Knives	01 10 00
Pen Knives the groce containing twelve dozen	01 10 00
Sker Knives the Dicker containing ten Knives	00 03 00
Stock Knives unguilt the dozen stocks	04 00 00
Stock Knives guilt the dozen stocks	06 00 00

L.

	Bone lace of thred the dozen yards	02 00 00
Lace	Brittin lace, the small groce containing twelve dozen yards	03 00 00
vocat	Cruel lace the small groce containing twelve dozen	04 00 60
	Of Gold or Silver, or Silver and Gold the pound Troy or Venice weight	08 00 00
	Gold and Silver lace the ounce Troy	00 05 00
	Pomet lace the groce contaning twelve dozen yards	01 00 00
	Purle or Antlet lace of thred, the groce containing 12 dozen	00 10 00
	Silk bone lace the pound containing sixteen ounces	10 00 00
	aSilk lace of all other forts the pound containing fixteene onnces	05 00 00
Ladles vocat.	Melting ladles the one hundred weight containing one hundred & twelve pounds	02 00 00
Lapis magnata false	the pound	00 03 00
Lattin	Black Lattin the one hundred weight, containing one hundred and twelve pounds	02 00 00
vocat.	Shaven Lattin the hundred weight, cotaining one hundred and twelve pound	02 10 00
Lead the Tun	containing twenty hundred weight	06 00 00
Lead Ore the Tun		04 00 00
Lemmons pickled the Pipe		04 00 00
Lemmon water the Tun		10 13 04
Lemmon water the Gallo ⁿ		00 00 11

L.

	Bazil Leather the dozen	02 00 00
Leather vocat.	Spanish, Turkey, East India or Cordovant the dozen skins	05 00 00
	Spruce, Muscovia or Dansk Leather the twelve skins	02 00 00
	Hangings guilt the piece	04 00 00
	Leather for Masks the pound	00 06 08

Leaves

Leaves of Gold, the hundred leaves containing five score	00 05 00	
Lures for Hawks the piece	00 01 04	
Line for Dyers the Barrel	00 05 00	
Lines of Hamborough for ships the piece	00 06 06	
Linseed the Bushel	00 05 00	
Linnes blew or red, the dozen	01 10 00	
Callicoes Fine or coarse the piece	00 12 00	
Cambricks	The half piece containing six ells	01 05 00
	The piece containing thirteen ells	02 10 00
	The packet	02 10 00
Dutch Barras, and Hessens Canvas, the hundred, ells containing six score	03 10 00	
French and Normandy Canvas and line narrow brown or white the hundred containing six score	06 10 00	
Noyal Canvas the hundred ells containing one hundred and twenty	08 00 00	
White French or Normandy Canvas broad the hundred ells containing 120	10 00 00	
French Canvas and line broad for tabling being an ell and half a quarter and upwards, the hundred ells containing one hundred and twenty	15 00 00	
Packing Canvas, Guttings and Spruce Canvas the hundred ells, containing one hundred and twenty	03 00 00	
Canvas called	Poledavies, Spruce, Elbing or Quinborow Canvas, the bolt containing 28 ells	01 10 00
	Strip or tufted Canvas with thred the piece, containing fifteen yards	01 10 00
	Strip, or tufted, or quilted Canvas with silk, the piece containing 15 yards	01 10 00
	Strip Canvas with copper, the piece containing fifteen yards	01 10 00
	Vandalose or Vittry Canvas, the hundred ells containing 120	06 00 00
Damask	Working Canvas for cushions, narrow the one hundred ells containing one hundred and twenty	03 00 00
	Working Canvas broad the hundred ells containing six score	05 00 00
	Tabling of Holland making the yard	00 08 00
	Towelling and Napkinning of Holland making the yard	00 03 00
	Tabling of Silesia making the yard	00 04 00
Diaper	Towelling or Napkinning of Silesia the yard	00 01 04
	Tabling of Holland making the yard	00 05 00
	Towelling and Napkinning of Holland making the yard	00 01 08
	Napkins of Holland making the dozen	01 10 00
	Of Silesia making tabling the yard	00 02 06
Lawn	Towelling and Napkinning of Silesia making the yard	00 01 00
	The half piece, containing six ells and one half	01 05 00
	The piece, containing thirteen ells	02 10 00
	Callico lawns the piece	01 00 00
	French lawns the piece	01 05 00
Flanders linnen cloth	Silesia lawns the piece containing between four and eight yards	00 10 00
	Oudnard And all other sorts of	
	Courtrey Flanders	
	Gentish white the ell	00 03 06
	Issingham	
Linnen cloth or	Iper	
	Outnal	
	Issingham and Gentish brown, and all other brown linnen the ell	00 02 06
	Bag Holland of Holland making the ell	00 06 08
	Holland linnen	Ates cloath
Brabant		
Embsden And all other cloath		
Freeze of Holland		00 03 04
Gulick the ell		
Linnen Cloth called	Overissels	
	Rowse	
	Shepards	
	Brittish the hundred ells containing five score	06 00 00
	Cowseild cloath or Plats the ell	00 01 06
Drilling and Pack duck the hundred ells containing six score	00 05 00	
Elbing or Dansk cloath double ploy, the ell	00 01 00	
Hamborough & Silesia cloath broad the hundred ells containing one hundred & twenty white or brown	07 00 00	

Linnen cloath vocat	Hamborough cloath narrow the hundred ells, containing six score	04 00 00
	Hinderland, Middlegood, Headlake and Muscovia Linnen narrow the hundred ells containing six score	02 10 00
	Lockrams the piece broad	10 00 00
	Lockrams the piece narrow	06 00 00
	Minsters the Roll, containing fifteen hundred ells, at five score to the hundred	47 10 00
	Oxenbriges the Roll, containing fifteen hundred ells at five score to the hundred	60 00 00
	Soultwich the hundred ells, containing six score	04 00 00
	Polonia, Ulsters, Hannovers, Lubeck, narrow Slesia, narrow Westphalia, narrow Hartford, plain Napkening, and all other narrow cloath of High Dutchland, and the East Countrey white or brown, and not otherwise rated the hundred ells, containing six score	05 00 00
	Strasborough or Hamborough Linnen the ell	00 03 00
	Budget or hanging Locks small the groce, containing twelve dozen	01 10 00
Locks called or	Hanging Locks large the groce, containing twelve dozen	03 00 00
Lockers	Chapes for Daggers, the groce, containing twelve dozen	00 13 04
Lutes	Collein making with cases the dozen	08 00 00
	Venice making, with cases the dozen	24 00 00
Lute strings vocat.	Catlings, the groce containing twelve dozen knots	00 02 08
	Minikins the groce containing twelve dozen knots	01 06 08
Litmus the hundred weight, containing one hundred and twelve pound		01 00 00
M.		
Madder vocat	Crop Madder and all other bale Madder, the hundred weight containing one hundred and twelve pound	01 10 00
	Fat Madder the hundred weight containing one hundred and twelve pound	00 16 08
	Mul-Madder the hundred weight containing one hundred and twelve pound	00 05 00
Magnus the hundred weight containing one hundred and twelve pound		01 00 00
Maps printed, the Ream		04 00 00
Masks	Of Velvet the dozen	03 00 00
	Of Sattin the dozen	03 00 00
Masts	For Ships small the Mast	00 03 04
	Middle the Mast	00 10 00
	Great the Mast	01 00 00
Match for Guns the pound		00 00 02
Mats of Russia, the mat		00 00 06
Malt and Barley, (vide) Corn		
Meal of Wheat or Rye, the last containing twelve Barrels		06 00 00
Melasses of Rameals the Tun		06 00 00
Meselanes the piece containing thirty yards		09 00 00
The single piece containing fourteen yards of Silesia making		01 16 00
Metheglin the Hoghead		02 00 00
Mithridate the pound		01 00 00
Moccado Ends the dozen pound		03 00 00
Morters and Pestles of Brass the pound		00 01 04
Mustardseed the hundred weight, containing one hundred and twelve pound		00 10 00
Mittins of Wadmoll the dozen pair		00 09 00
N.		
Nails vocat.	Chair Nails the thousand	00 13 04
	Copper Nails, Rose Nails and Sadlers Nails, the Sum containing ten thousand	00 13 04
	Head Nails the barrel	08 00 00
	Harness Nails the Sum containing ten thousand	01 00 00
	Small Nails the half barrel	08 00 00
	Spring Nails the Sum containing ten thousand	00 06 08
Narkins French making the dozen		00 12 00
Neats Tongues	Of Russia the piece	00 00 02
	The barrel	00 10 00
	The dozen	00 02 06
Neckerchers of Flanders making the dozen		06 00 00
	The dozen thousand	02 10 00
Needles	Vocat. Packneedles the thousand	00 10 00
	Vocat. Sailneedles the thousand	00 05 00
Nutmegs pickled the piece		00 00 04
Nuts vocat. Small Nuts the Barrel		00 10 00

Nuts

Rates Inwards.

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Nuts vocat. Wall nuts the Barrel	00 06 08
O.	
Oackham the hundred weight containing one hundred and twelve pound	00 05 00
Oaker the Barrel	01 06 00
Oar vocat. Iron Oar the Tun	00 10 00
Olives the Hoghead	08 00 00
Onions { The Barrel	00 03 04
{ The hundred Bunches	00 16 08
{ Seeds the hundred weight, containing one hundred and twelve pound	04 00 00
Orchal the hundred weight, containing one hundred and twelve pound	01 10 00
Oranges and Lemmons the Thoufand	05 00 00
Orfedew the dozen pound	01 06 08

P.

Packthred { In skeins the hundred weight	03 00 00
vocat. { Bottom thred the hundred pound--	02 10 00
Pans vo- { Dripping and Frying Pans the hundred weight, containing 112 pound	02 00 00
cat. { Warming pans the dozen	03 00 00
Paper vo- { Blew Paper the Ream	00 16 00
cat. { Brown Paper the bundle	00 03 00
{ Cap Paper the Ream	00 07 06
{ Demy Paper the Ream	00 12 00
{ Morlaix Paper the Ream	00 02 06
{ Ordinary Printing and Coppy Paper the Ream	00 02 06
Paper vo- { Paper of Cane, and Roan ordinary the Ream	00 04 06
cat. { Painted Paper the Ream	00 13 04
{ Prelling paper the hundred leaves	00 13 04
{ Rochel Paper as large as Demy paper	00 09 00
{ Royal paper the Ream	01 00 00
Parchment the Roll	02 02 00
Paft of Jean the pound	00 07 06
Pears or Apples dried, the barrel	00 10 00
Pincers, the groce containing twelve dozen	02 00 00
Peircer bits the groce containing twelve dozen	01 00 00
Pikeheads the piece	00 00 06
Pikes { Without heads the piece	00 03 06
{ With heads the piece	00 04 06
Pinnes the dozen thouland	01 00 00
Pincers or Plyers the dozen	00 03 04
Pintadoes or Callico Cupboard cloaths, the piece	02 00 00
Pipes or Hogthead or Barrel staves the hundred containing fix score	00 06 08
Pipes for Tabors the dozen	00 04 00
Pipes for children the groce containing twelve dozen	00 08 00
Pitch { Small Band the laft containing twelve barrels	02 00 00
vocat. { Great Bands the laft containing twelve barrels	03 06 08
Plaifter of Paris, the mount containing three thousand weight	02 00 00
Plain Iron the dozen	00 02 00
Planks of Cedar the Foot	00 01 00
Planks of England the hundred Foot containing five score	00 12 06
Plates { All Bullion either in Coyn Bars or Plates to be imported duty free	
{ Single white or black, the barrel containing three hundred plates	02 00 00
Plates vo- { Double white or black the Barrel containing three hundred plates	04 00 00
cat. { Harnefs plates or Iron doubles the plate	00 02 00
{ Harnefs plates or Iron doubles the bundle containing ten plates	01 00 00
Playing Tables of Wallnut tree the pair	00 06 08
Points { Of thread, the great groce containing twelve small groce	01 00 00
{ Of Capiton, the great groce containing twelve small groce	02 00 00
{ Of fine Silk, the small groce containing twelve dozen	01 10 00
Pomy or pumice stones the Tun	00 13 04
Pomegranats the thoufand	02 00 00
{ Of Earth or stone covered, the hundred containing five score	01 06 08
Pots vo- { Of Earth or stone uncovered, con. a gallon to every caft, whether in one pot or more	02 00 00
out { Gally pots the hundred containing five score	02 00 00
{ Melting pots for Goldsmiths the hundred	00 03 00

Pots vocat.	All Pots and Kettles of Iron the dozen	06 00 00
Pullies vocat.	{ Pullies of Iron, the groce containing twelve dozen	05 00 00
	{ Of Brass the dozen	00 04 00
	{ Of Wood, the groce containing twelve dozen	01 09 00
Punfens and Gravers for Goldsmiths	the pound	00 01 00
Q.		
Quilts	{ French making the dozen	04 16 00
	{ Of Callico the piece	02 00 00
	{ Of Sattin or other silk, the piece	06 13 04
Quinces the hundred		00 04 00
R.		
Rackets the piece		00 00 08
Rape of Grape, the Tun		03 00 00
Rapested the quarter		01 00 00
Rafhes vocat.	{ Bridges or Leyden Rafhes, the single piece containing fifteen yards	04 00 00
	{ Bridges or Leyden Rafhes English the double piece containing thirty yards	03 00 00
	{ Cloath Rafhes English the piece	06 00 00
Rattles	{ For Children the groce containing twelve dozen	01 00 00
	{ With Bells the dozen	00 04 00
Razors the Dicker	containing ten	01 00 00
Recorders the Set or Case	containing five Recorders	01 00 00
Ribbands of Silk, and all other Silken manufacture,	the pound containing sixteen ounces	05 00 00
Riband of Gold, Silver or both,	the pound containing sixteen ounces	08 00 00
Rice the hundred weight,	containing one hundred and twelve pound	01 05 00
Rozen the hundred weight,	containing one hundred and twelve pound	00 05 00
Rims for Sieves,	the groce containing twelve dozen	00 06 00
Rugs of all sorts the piece		01 00 00
Rings vocat.	{ For Keys the groce containing twelve dozen	00 09 00
	{ For Curtains the pound	00 01 00
	{ Of Wyer the groce containing twelve dozen	00 04 00
	{ Of Brass, Copper, or St. Martins guilt the groce containing twelve dozen	01 00 00
	{ Small the box containing two groce, twelve dozen to each groce	00 10 04
	{ Of Hair the groce containing twelve dozen	00 03 04
S.		
Sackcloth	{ The hundred ells containing fix score	08 00 00
	{ Of single threds, the piece containing fifteen yards	00 10 00
	{ With white thred the yard	00 01 00
	{ With silk the yard	00 01 06
Saddles of steel the piece		01 00 00
Saffora (vide) Barilla,		
Safflore the hundred weight,	containing one hundred and twelve pound	04 00 00
Saffron the pound		01 10 00
Salt of all sorts,	the Bushel containing eight Gallons	00 01 00
Salt peeter the hundred weight,	containing one hundred and twelve pound	02 00 00
Saws vocat.	{ Hand-saws the dozen	00 06 08
	{ Tenant-saws the dozen	00 13 04
	{ Whip-saws the piece	00 05 00
	{ Leg-saws the piece	00 06 08
Scamoty the yard		00 00 08
Scamoty the piece containing	thirteen yards	00 08 08
Sciffers the groce containing	twelve dozen	01 13 04
Sea-holly roots the hundred weight,	containing one hundred and twelve pound	01 00 00
Sea horse teeth the pound		00 05 00
Searge	{ Of Athens the yard	00 02 00
	{ Of Florence the yard	01 00 00
	{ For shearmen the pair	01 00 00
Shears	{ For shearmen old the pair	00 13 04
	{ For Glovers the pair	00 01 00
	{ For Seamsters the dozen	00 03 04
	{ Vocat. Forceps the groce containing twelve dozen	00 13 04
	{ For Taylers the dozen	00 16 00
Shubs of Calaber the piece or shub		02 00 00
Shumake the hundred weight containing	one hundred and twelve pound	00 13 04

Struff or old Brass the hundred weight containing one hundred and twelve pound--	03 00 00
Syder and Perry the Tun	02 00 00
Bridges silk the pound containing sixteen ounces	02 00 00
Ferret or Floret silk the pound containing sixteen ounces	01 00 00
Fyllozell or Paris silk the pound containing sixteen ounces	00 15 00
Granada { silk black the pound containing sixteen ounces	03 00 00
{ Silk in colours the pound containing sixteen ounces	04 00 00
Naples silk in colours, the pound containing sixteen ounces	02 10 00
Orgazin silk the pound containing sixteen ounces	00 16 08
Pole or Spanish silk the pound containing sixteen ounces	02 00 00
Raw China silk the pound containing twenty four ounces	01 00 00
Raw Morea silk the pound containing twenty four ounces	00 10 00
Raw long silk of all sorts except China and Morea the pound cont. 24 ounces	00 10 00
Raw short silk or Capiton the pound containing twenty four ounces	00 06 08
Satin Silk, the pound containing sixteen ounces	02 00 00
Sleave silk coarse, the pound containing sixteen ounces	00 13 04
Sleave silk fine, or Naples sleave the pound containing sixteen ounces	02 13 04
Silk Nubs or Husks, the pound containing twenty one ounces	00 02 00
Thrown silk, the pound containing sixteen ounces	01 13 04
Thrown silk the pound dyed, containing sixteen ounces	02 10 00
China Damask the yard	02 13 04
{ Gold and silver plain the yard	04 00 00
{ Gold and silver wrought the yard	06 00 00
{ Tissue the yard	10 00 00
All Silks wrought, of the Fabrick or Manufactures of the East Indies, Italy or any parts or places whatsoever, the pound weight containing sixteen ounces	02 10 00
Buck skins in the hair the piece	00 02 06
Drest the skin	00 05 00
Calve-skins { Raw the dozen	00 06 08
{ Tanned	00 10 00
Cordavant of Scotland the dozen	01 06 08
Dogfish skins for Fletchers, the dozen	00 00 06
Fox skins drest, the dozen	00 16 00
Gould skins, the skin	00 00 06
Goat skins { Of Barbary, or the East-Country, in the hair, the dozen skins	00 15 00
{ Of England and Scotland in the hair, the dozen	00 06 08
{ Tanned, the dozen	02 00 00
Hufs skins for Fletchers, the skin	00 00 08
Kid skins in the Hair, the hundred containing five score	01 00 00
Drest, the hundred containing five score	02 00 00
Portugal skins, the dozen	02 00 00
Seal skins, the skin	00 01 00
Shamois skins, the dozen	01 06 08
sheep skins in the Wool, the skin	00 00 03
Spanish Sevil or cordivant skins, the dozen	05 00 00
Spruce skins tawed the dozen	02 00 00
Skeets for Whistlers, the skeet	00 01 00
Slip, the Barrel	00 03 04
Smals, the pound	00 01 06
Snuffers of all sorts, the dozen	00 06 08
Soap vo- { Castle or Venice, the hundred weight containing one hundred and twelve pound	03 00 00
cat. { Flemish, the Barrel	04 00 00
Spangles of Copper, the thousand	00 01 00
Spars small, the hundred containing five score	01 00 00
Spectacles without cases, the groce containing twelve dozen	01 00 00
Spirits perfectly made, the Gallon	01 00 00
Spoons of Horns, the groce containing twelve dozen	00 16 00
Spungee, (vide) Drugs	
{ Of Wood the dozen	00 04 00
{ Of Brass the dozen	00 12 00
Standishes { Covered with leather guilt the piece	00 06 08
{ Vocat, Pocket Standishes the dozen	00 02 00
Starch white the hundred weight containing one hundred and twelve pounds--	05 00 00

Staves	{ Barrel staves the hundred containing six score	00 03 00
vccar.	{ Firken staves the hundred containing six score	00 02 00
Steel	of all sorts the hundred weight containing one hundred and twelve pound	01 00 00
Stockins	{ Of worsted for men and women the pair	00 06 00
	{ Of worsted for children the pair	00 03 04
	{ Of wollen for men and women the pair	00 03 00
	{ Of woollen for children the pair	00 01 08
Stone Birds or Whistles,	the groce containing twelve dozen	00 04 00
Stockins of Silk	the pair	02 00 00
	Blood stones the pound	00 10 00
	Cane stones the Tun	00 10 00
Stones vocat.	Dog stones the last, containing three pair to the last	06 00 00
	Millstones the piece	03 06 08
	Quern stones large, the last	03 00 00
	Quern stones small the last	01 10 00
	Slick stones the hundred containing five score	00 10 00
Stur-	{ The Firkin	01 10 00
geon	{ The Cagg	00 15 00
Succard,	wet or dry the pound	00 03 00
Sword	{ Of Venice, Turkey or fine blades the dozen	01 10 00
blades	{ Course of Flanders making the dozen	01 00 00
T.		
Table	{ Course, the dozen	00 10 00
Books	{ Fine, the dozen	01 00 00
Tables vocat.	Playing Tables of Waincoat, and all other sorts course, the pair	00 05 00
Tacks of Iron	the thousand	00 06 08
Tennets of Cruel	the yard	00 06 00
	With hair the Flemish Ell	00 02 00
	With caddas the Flemish Ell	00 06 00
Tapitry	{ With Silk the Flemish Ell	00 10 00
	{ With Gold or Silver the Flemish Ell	06 00 00
	{ With Wool the Flemish Ell	00 03 00
Tarras the barrel		00 05 00
Tarre	{ Small band the last containing twelve Barrels	02 00 00
	{ Great band the last containing twelve Barrels	03 06 08
Teazels the thousand		00 01 00
Thimbles the thousand		03 00 00
	Bridges thread the dozen pound	02 05 00
	Crosbow thread the hundred pound containing five score	03 06 08
	Lions or Paris thread, the bale containing one hundred bolts	15 00 00
Thread	{ Outnal thread the dozen pound	03 00 00
	{ Piecing thread the dozen pound	04 00 00
	{ Silvers thread the pound	00 15 00
	{ Whitened brown the dozen pound	01 00 00
Thrams	{ Of Linnen or Fustian the pound	00 00 06
	{ Of Wollen the pound	00 01 00
Tikes	{ Brizel Tikes, and counterfeit Brizel the tike	01 10 00
	{ Tural Tikes, the Tike	01 10 00
Tiking of the East Country,	the yard	00 00 08
Tikes of Stode the Tike		01 10 00
Tineal the pound vide Drugs		
Tinsoyl the groce	containing twelve dozen	00 03 04
Tinglafs the hundred weight	containing one hundred and twelve pound	03 00 00
Tinfel	{ Copper the yard	00 05 00
with	{ Right of Gold and Silver the yard	00 10 00
Tinshore the groce	containing twelve dozen	00 01 06
Tobacco	{ Spanish and Brazil Tobacco, or any not English plantation the pound	00 10 00
	{ Spanish or Brazil Tobacco in pudding or Roll the pound	00 10 00
	{ St. Christophers Barbadoes or any of the Carib Islands, Virginia, or Sum-	00 01 08
	mer Islands the pound	
Tools vocat.	Carving Tools the groce containing twelve dozen	01 00 00
Tow,	the hundred weight containing one hundred and twelve pounds	00 10 00
Traves of Wood,	the shock containing sixty Traves	01 00 00

Rates Inwards.

Treacle	{ Flanders Treacle the Barrel	04 00 00
	{ Of Jean the pound	00 00 10
Trees of all sorts free		
Trench-	{ White sort common, the groce containing twelve dozen	00 04 00
ers	{ Red or painted, the groce containing twelve dozen	00 12 00
Treen Nails the thousand		00 10 00
Trunnels the thousand		00 10 00
Tweezers of France the dozen		03 00 00
Twine	{ Of Hamborough the pound	00 00 06
	{ The hundred weight containing one hundred and twelve pound	02 10 00
Twist for Bandstrings the dozen knots		00 10 00
Tyn	{ Of Cornwall & Devonshire unwrought, the 100 weight containing 112 pound	02 00 00
	{ Wrought, vocat. pewter, the hundred weight containing 112 pound	04 00 00

u.

vallances of Scotland the piece		00 08 00
Verditer the hundred weight containing one hundred and twelve pound		01 06 00
Verders of Tapstry with hair the Flemish Ell		00 02 00
Vellum for Table-books the Skin		00 10 00
Vials the piece		00 13 04
Vice Hasps the dozen		00 02 00
Vinegar the Tun		05 00 00
Vizards the dozen		01 04 00

W.

Wadmoll the yard		00 00 09
Wainfcots the hundred containing six score		10 00 00
Wax	{ The hundred weight containing one hundred and twelve pound	02 00 00
	{ Vocat. Hard wax the pound	00 03 04
Whalebone the hundred weight		00 10 00
Whetstones the hundred stones containing five score		00 15 00
Whitcord the pound		00 00 08
Whittles, cocks or bellows, the groce		01 04 00
Whittles, cocks or birds of stone, the small groce containing twelve dozen		00 04 00
Wormseed the pound		00 03 00
Worsteads	{ St. Omers, narrow or half worstead the piece	01 00 00
vocat.	{ Ruffels worstead or broad worstead the piece	02 00 00
	{ Islands or green wood the tun containing twenty hundred weight	08 00 00
	{ Tholouse Wood the hundred weight containing one hundred and twelve pound	01 13 04
	{ Box Wood for combs the thousand pieces	01 13 04
Wood	{ Brazil or Farnambuck Wood the hundred weight containing 112 pound	01 00 00
Vocat.	{ Braziletto or Jamaica Wood, the hundred weight containing 112 pound	00 14 00
	{ Logwood the hundred weight containing one hundred and twelve pound	03 00 00
	{ Ebony Wood the hundred weight containing one hundred and twelve pound	02 00 00
	{ Fulltick the hundred weight containing one hundred and twelve pound	00 05 00
	{ Lignum vitæ (vide) Drugs	
	{ Red or Ginny Wood the Tun	30 00 00
	{ Speckled Wood the hundred weight containing one hundred & twelve pound	00 13 04
	{ Sweet Wood of West India the hundred weight containing 112 pound	01 05 00
	{ Timber the Tun or Load	00 13 04

Wooll of all sorts to be imported free

Wrests for	Virginals the groce containing twelve dozen	01 04 00
	{ Dagger and quarter Wyr the pound	00 03 04
Wyer	{ Iron Wyer the hundred weight containing one hundred and twelve pound	02 10 00
Vocat.	{ Lattin Wyer the hundred weight containing one hundred & twelve pound	05 00 00
	{ Steel Wyer the pound	00 03 00
	{ Strasborough wyer the pound	00 03 04
	{ Virginal wyer the pound	00 05 00
Wines the Tun called Brandy wine		20 00 00

Y.

	{ Seal yarn the pound	00 00 06
Yarn vocat.	{ Woollen & Say yarn the hundred weight containing one hundred & 12 pound	03 06 08
	{ Cable yarn the hundred weight, containing one hundred & twelve pound	00 10 00
	{ Cammel or Mohair yarn the pound	00 02 06
	{ Cotton yarn the pound	01 01 00

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Grogan

Yarn	Grogram yarn the pound	00 03 00
Yarn	Raw Linnen yarn Dutch or French the pound	00 01 00
vocat	Spruce or Muscovy yarn the hundred weight containing 112 pounds	00 13 04
	Scotch yarn the pound	00 01 00

The Subsidy of Tunnage upon all VVines and Oyles, to be brought into the Port of Dublin, and all other Ports of Ireland, and Dominions thereof.

For every Tun of wine of the growth of France, or of any the Dominions of the French King, or Crown of France, that shall come or be brought into the Port of Dublin, and the Members thereof, and in all and every the Ports and places of this Realm, by natural born Subjects of this Realm, or any other your Majesties Dominions, the sum of } 03 10 00

By Strangers and Aliens the sum of 04 13 04

For every But or Pipe of Muscadine, Malmsies, Cutes, Tents, Allicants, Ballard Sacks, Canaries, Malligoes, Maderaes, and all other wines whatsoever, commonly called Sweet wines of the growth of the Levant, Spain, Portugal, or of any the Islands or Dominions to them, or any of them belonging, or elsewhere, that shall come and be brought into the port of Dublin, or Members thereof, and into all and every the other ports and places of this Realm, by a natural born Subject the sum of } 02 10 00

By Strangers and Aliens the sum of 03 06 08

For every Awm, containing 42 Gallons of Rhenish wine of the growth of Germany, that shall come & be brought into this Realm by natural born Subjects, the sum of } 00 15 00

By Strangers and Aliens the sum of 01 00 00

For every Tun of Rape and Linseed Oyles containing two hundred fifty two Gallons that shall come or be brought into the port of Dublin, or any the ports of this Realm by natural born Subjects, the sum of } 01 10 00

By Strangers and Aliens the sum of 01 17 00

For every Tun of Sevil, Majorca, Minorca, Apuglia, Province, or Portugal Oyl, that shall come or be brought in by any Natural borne Subject, the sum of } 02 12 00

By Strangers and Aliens the sum of 03 05 00

For every Tun of Saller Oyle, brought by any natural born Subject, the sum of 03 03 00

By Strangers and Aliens the sum of 03 18 00

For every Tun of Train Oyl of Greenland, brought in by any Natural born Subject, the sum of } 00 08 00

By Strangers and Aliens the sum of 00 10 00

For every Tun of Train Oyl of New-found Land, brought in by any natural born Subject as aforesaid, the sum of } 00 06 00

By Strangers and Aliens the sum 00 07 00

THE RATES of MERCHANDIZES OUTWARDS.

A.

Lablafter the load	02 00 00
Allum the hundred weight containing one hundred and twelve pound	01 00 00
Anvils the hundred weight containing one hundred and twelve pound	00 10 00
Aqua-Vitæ; the Hoghead	02 00 00
Ashes of Irish Wood the Last containing twelve Barrels	01 13 04

B.

Bacon the Flitch	00 02 06
Bags the dozen	00 06 08
Barrels of Birding Pieces the Barrel	00 06 08
Beef the Barrel	01 09 00
Beer the Tun	02 00 00
Beer-eger the Tun	01 10 00
Bell metal the hundred weight containing one hundred and twelve pound	04 00 00
Bellows the dozen	00 06 00
Birding pieces the piece	00 13 04
Birdlime the hundred weight containing one hundred twelve pound	01 10 00
Bodies	} Stiched Bodies with silk the pair 00 03 04
vocat	
	} Of Whalebone the pair 00 02 00
Bones vocat. Oxe bones the thousand	00 06 08
Books printed, unbound or bound; the hundred weight containing 112 pound	00 05 00
Brass Manufacture the hundred weight, containing one hundred and twelve pound	00 16 08
Bridles the dozen	00 01 08
Brushes of Heath the dozen	00 10 09
Buckweed the Quarter (vide) Corn	
Buttons of Hair the small groce containing twelve dozen	00 00 06

Butter

Butter	good or bad, the hundred weight containing	one hundred and twelve pound-	00 12 00
Boards vocat.	Barrel boards or staves the 1000. containing ten hundred at 6. score to the 100.	04 00 00	
	Board or stave for Hogheads, the 1000. containing ten hundred at 6. score to the 100.	06 00 00	
	Boards or staves for pipes the 1000. containing ten hundred at 6. score to the 100.	08 00 00	
	Inch boards, the 100. foot containing six score to the hundred.	00 06 08	
	Two Inchboards, the hundred foot containing	six score to the hundred.	00 13 04

C.

Calve skins,	the dozen undrest or drest not exceeding thirty six pound	00 12 00
Candles	the hundred weight containing one hundred and twelve pound	01 00 00
Canvas Tufted,	the piece containing thirty yards (vide Linnen)	
Canvas Irish making,	the hundred ells containing five score (vide Linnen)	
Caps of wooll of all sorts	the dozen	00 06 00
Cards vo-	Stock Cards the dozen	01 04 00
cat.	Tow Cards new, the dozen	00 05 00
	Playing Cards the groce containing twelve dozen	00 05 00
Wool-cards	New, the dozen	00 10 00
vocat.	Old, the dozen	00 06 00
Card boards	the small groce containing twelve dozen	01 00 00
Carpets,	the piece	01 11 00
Catlings or Hatmakers strings	the Groce containing twelve dozen	00 16 00
Cheefe	the hundred weight containing a hundred and twelve pound,	00 10 00
Cloak bags	the dozen	00 15 00
Combs of Wood, Bone or Horn, or any other sort,	(vide Haberdashery)	
Cobweb Lawns	the yard	00 00 08
Comfits	the pound (vide Confectionary)	
Cony Hair or wooll black or white	the pound	00 12 00
Copper Manufactures of all sorts	the hundred weight containing a 100, and twelve pound-	00 16 08
Cordage tarred or untarred,	the hundred containing a hundred and twelve pound	00 10 00
Cover-	Of Wooll and hair the piece	00 01 08
lets	Of Caddas the piece	00 01 03
Curry combs (vide)	Iron wares	
Cushions	the dozen	01 00 00
Cottons and plains of all sorts,	the hundred goods	01 00 00
Corn vo-	Barley the Quarter containing eight Bushels	00 10 00
	Beans the Quarter containing eight Bushels	00 10 00
	Mault, the Quarter	00 10 00
	Oats, the Quarter	00 06 08
	Pease the Quarter	00 10 00
	Wheat the Quarter	01 00 00
	Rye the Quarter	00 10 00
	Buck wheat the Quarter	00 10 00

D.

Darnix	the yard	00 00 11
Darnix vocat.	Coverlets the piece	00 03 04
Dice (vide)	Haberdashers Ware	
Dimithy	the yard	00 04 00
Dublets of Leather	the piece (vide Garments)	
Dust of Cloves, of Ginger, of Lignum vitæ, of Mace, of Nutmeg, of Pepper, of all Spices and the like,	are Custom free, having paid at Importation.	

E.

Emery stones	the hundred weight containing a hundred and twelve pounds	00 03 04
Brick and tyles of all sorts	the thousand	00 03 04
All sorts of Earthen and Stone Ware	not rated, the hundred parcels	00 03 04

F.

Fennel seeds	the hundred weight containing one hundred and twelve pound	01 10 00
Figurettes with Silk or Copper (vide Silk)		
Figuret-	Narrow the piece	00 16 00
	Broad the piece	01 10 00
	Codfish the Barrel	00 10 00
Fish vocat.	Salmon the Tun	08 00 00
	Hakefish the hundred containing six score	00 03 04
	Eels the Barrel	01 00 00
	Eels small the Barrel	00 10 00

Fish	Herrings full fish the Barrel	00 13 04
vocat.	Herrings shotten the Barrel	00 10 00
	Pilchers the Tun	06 00 00
	Sprats the Tun containing one thousand	00 10 00
Fitches,	the Timber containing forty skins	01 13 04
Flannel	the yard	a farthing
Flocks,	the hundred weight containing one hundred and twelve pounds	00 13 04
Freezes	the yard	00 00 03
Fustians of	Irish making of all sorts to go out free	
G.		
Garments or	wearing apparel of all sorts, to go out free	
Garters of	Worstead the groce containing twelve dozen	00 02 06
Geldings or	Nags, the piece, vide Horses	
Girdles	{ Of Leather for men, the groce containing twelve dozen	00 16 00
	{ For Children the groce containing twelve dozen	00 10 00
Glas for	windows the Chest	00 10 00
Glasses to	drink in, Bottles and all sorts of Glasses the hundred	00 03 04
Glew Irish,	the hundred weight containing one hundred and twelve pound	00 16 00
	(Plain of Sheep, Kid, or Lambs Leather the dozen pair	00 02 00
Gloves.	Fringed and fitched the dozen pair	00 03 04
	Furred with coney Wool the dozen pair	00 04 00
	(Of Buck Leather the dozen pair	01 00 00
Glas broken	the Barrel	00 03 04
Glovers	clipping, the Fat or Maund	02 00 00
Goose Quills	the thousand	00 02 00
Gun-Powder	the hundred weight containing one hundred and twelve pound	02 00 00
Guts vocat.	Oxe Guts the Barrel	01 00 00
H.		
Haberdashery	{ Packthread, inle, Tape, Filling, Buttons of all sorts, Hookes and Eyes, and	01 00 00
Wares vocat.	{ all other Haberdashery Irish making, not particularly rated by the hundred	
	weight containing one hundred and twelve pounds	
Hair vo-	Harts hair the hundred weight containing one hundred and twelve pound	01 12 00
cat.	Horse hair the hundred weight containing one hundred and twelve pound	06 00 00
	Oxe or Cow hair the hundred and twelve pounds	02 00 00
	Hair Cloath the piece	00 13 04
Harts Horne	the hundred weight containing one hundred and twelve pound	01 10 00
Harbands of	cruel the groce containing twelve dozen	00 05 00
Hatchets	the dozen (vide) Iron Ware	
Hats vo-	{ Beavers and Demy Casters of Irish making the dozen	02 00 00
cat.	{ Felts and all other Hats the dozen	00 10 00
Hawks Hoods	the dozen	00 02 06
Hempseed	the Quarter containing eight Bushels	02 00 00
Hides tanned	or untanned the Hide, into England, or any other His Majesties Dominions	00 06 00
Into any	Forraign part, the Hide	00 10 00
Holsters	the dozen pair	00 10 00
Hops the	hundred weight containing one hundred and twelve pound	01 10 00
	Blowing Horns small the dozen	00 04 00
	Of Bucks the hundred	00 04 00
	Of Rhorns the dozen (vide) haberdashery Wares	01 12 00
Horns vo-	Horns for Lanthorns the thousand Leaves	01 00 00
cat.	Oxe horns the thousand	02 10 00
	Powder horns the dozen	00 04 00
	Of Rams the thousand	01 00 00
	Of Sheep the thousand	00 03 04
	Shooing horns the dozen	00 00 08
	Stags horns the hundred	01 12 00
	Tips of Horns the Thousand	00 15 00
	Gouts horns the hundred weight containing one hundred and twelve pound	00 10 00
Horses vo-	{ Stone horses, Geldings or Nags into England or Scotland or any other	02 00 00
cat.	{ English plantation the piece	
	Into Forreign parts the piece	20 00 00
Horse Tails	with hair, the hundred weight containing five score	01 10 00
Horse Collers	the hundred containing five score	20 00 00

Hoops

Ra

Rates Outwards.

665

Hoops for Barrels the thousand	00 13 04
Hogs alive the piece	00 01 00

I

Jewels, Precious Stones and Pearls free	
Iron wrought (viz.) Axes, Adzes, Bows, Armour, Bits, Knives, Locks, Fowling pieces, Muskets, Pistols, Scissers, Stirrops, and all Carpenters and Joiners Tools, Jackwork, Clockwork, and all Ironmongers wares perfectly manufactured, the hundred weight, containing one hundred and twelve pound	00 10 00
Iron the tun	06 13 04
Iron Ordnance, the hundred weight, containing one hundred and twelve pound	01 00 00
Iron vocat old Iron the Tun	06 13 04

K

Knives, (vide) Iron Ware

L

Lace of Gold and Silver, the pound	01 16 00
Lace of Velvet the pound, (vide) Silk	
Licharge of lead the hundred weight, containing one hundred and twelve pound	00 04 00
Loom-work the yard	00 00 06
Lime the chaldor	00 13 04
Linen (viz.) all sorts of Cloath made of Hemp or Flax fine or coarse, of Irish Manufacture the piece not exceeding forty ells	00 05 00
Linsed the quarter containing eight bushels	03 00 00
Linsley Woolsey (vide) Stuff	
Linen threads the maund or Fatt	02 00 00
Lints of Cloath the thousand yards	01 10 00
Lead cast and uncast, the Fodder containing twenty hundred weight	20 00 00
Lead Ore, the Tun	02 00 00

M

Mantling, the pack containing four hundred yards containing six score to the hundred	06 00 00
Mantling of Freeze the yard	00 00 03
Mantles of the best sort the piece	00 06 08
Mantles of the worst sort the piece	00 03 04

N

Nails of all sorts the hundred weight containing one hundred and twelve pound	00 05 00
Nuts small, the barrel containing three bushels	00 06 08

O

Oatmeal the barrel	00 06 08
Oyl called Trayn Oyl made in Ireland the Tun	10 00 00
Oysters the small barrel in pickle	00 01 04
Oker yellow or red, the hundred weight containing one hundred and twelve pound	01 00 00
Oxen, Cows or Steers the head	01 00 00

P

Parchment the Roll	00 06 08
Past-boards, the groce containing twelve dozen	00 12 00
Points of Leather, the small groce containing twelve dozen	00 00 04
Pork the barrel	01 10 00
Purles of broad cloth, the piece	00 00 02

R

Rape Cakes, the thousand	06 10 00
Rape-seed the Quarter, containing eight bushels	03 00 00
Rugs vo- Irish Rugs the yard	00 00 04
cat. Irish Rugs for Beds, the Ruge	00 06 08
Ruffling for Painters, the hundred weight containing 112 pounds	00 05 00

S

Sack-cloth to make Sacks, the bolt or piece (vide) linen	
Saffron the pound	01 10 00
Shreds and pieces of broad cloth, the pound	00 00 06
Shoes } Old, the hundred dozen pair	04 10 00
} All new shoes, Boots and Slippers, the pound weight	00 00 06
Sheep the score alive into England	02 00 00
Tawed or died into colours, the hundred containing one hundred & twenty	01 00 00
Skins of Gray flag, the hundred containing six score	00 10 00
Rabets or Gray sealoned, the hundred containing six score	01 00 00

Z Z Z Z Z Z

Gray

Gray tawed, the hundred containing fix score	00 13 04
Black with silver hair or without, the hundred containing one hundred and twenty	01 06 08
KidSkins drest or undrest, the hundred containing fix score	30 00 00
Skins of	00 01 00
Otter	00 01 04
Raw, the piece	00 10 09
Tawed, the piece	10 00 00
Wombs the Mantle	00 10 00
Goat skins, the hundred containing fix score	00 10 00
Stags skins the piece	00 05 00
Deer skins the piece	00 05 00
Marteons skins, the piece	00 16 08
Lambs skins drest or undrest, the hundred containing fix score	01 10 00
Sheepskins tawed with the Wool on the hundred containing fix score	01 00 00
Pelts drest or undrest without the Wool, the hundred containing fix score	20 00 00
Sheep skins with the wool, the hundred containing fix score	00 03 04
Wolf skins, the piece	00 00 03
Hare skins, the piece	01 06 08
Cats skins, the hundred	00 00 08
Fox skins, the piece	00 02 06
Swans skins, the piece	00 02 06
Dogsskins, the dozen	00 01 00
Badgers skins, the piece	00 06 00
Wolf skins tawed, the piece	02 10 00
Squirrel skins the thousand	00 10 00
Hard Irish making, the hundred containing one hundred and twelve pound	01 00 00
The barrel	00 13 04
Starch, the hundred weight containing one hundred and twelve pound	01 00 00
Steel, the hundred weight containing one hundred and twelve pound	00 02 06
Irish the dozen	00 01 00
Kerfy long, the pair	00 03 09
Kerfy short, the dozen pair	
Leather, the dozen (vide) garments	
Woollen for children, the dozen	00 01 08
Worstead for children, the dozen	00 03 04
Wollen for men, the dozen	00 05 00
Worsted for men, the dozen	00 12 06
Lower ends of worstead stockins the dozen	00 06 08
Sugar of all forts brought into this Kingdom, and after refined, and after made into loaves, and Exported by way of Merchandizes, the hundred weight, containing 112 pounds	00 10 00
T.	
Tallow, the hundred weight containing one hundred and twelve pound	01 10 00
Tapistry or Darnix Hangings of what fort soever, made in Ireland, whereof any part of	00 00 06
Wool, the pound weight	
Thrunis, the hundred pound containing five score	00 06 08
Toba pipes the small groce, containing twelve dozen	00 01 00
Unwrought, the hundred weight, containing one hundred and twelve pounds	07 06 08
Wrought (vocat.) the hundred weight containing one hundred and twelve pound	05 00 00
V.	
Vineger of Wine, the Tun	02 06 08
W.	
Wadmol, the yard	00 00 04
Wax Irish the hundred weight, containing one hundred and twelve pound	04 03 00
Hard Wax, the pound	00 02 00
Weld, the hundred weight, containing one hundred and twelve pound	01 05 00
Wine Lees, the But	01 00 00
Woad, Irish the Tun	10 00 00
Woad Nets, the hundred containing five score	00 10 00
Wool Spanish, free	
Irish wooll into England, the Stone containing eighteen pound	01 05 00
Broad woollen cloath, or old Drapery, the piece containing thirty six yards	
And so proportionally for greater or lesser quantities	03 06 08
Kerfies, Searges, Says, and other forts of Stuffs or Draperies made in Ireland, the piece	00 15 00
For every pack of Linnen yarn called Irish yarn, containing 400 weight at fix score to the hundred	20 00 00
Goods Inwards or Outwards not rated, to pay five pound per centum	And

And if there shall happen to be brought in or carried out of this Realm any Goods liable to the payment of Custom and Subsidy, which either are not mentioned in this Book, or are not now used to be brought in or carried out, or by reason of the great diversity of the value of some goods could not be rated, That in such case, every customer or Collector for the time being shall levy the said custom and subsidy of Poundage, according to the true value and price of such goods to be affirmed upon the oath of the Merchant in the presence of the customer, collector, comptroller and surveyor, or any two of them.

Certain Rules, Orders, and Directions for the Advancement of Trade, and encouragement of Merchants, as also for Regulating as well of the Merchants in making of due Entries, and just payments of their Customs: as of the Officers in all the Ports of this Realm, in the Receipts of their several Fees, and in the faithful management of their duties and trusts.

I. Every Merchant shall have free liberty to break bulk in any Port allowed by the Law, & to pay custom and Subsidy for no more than he shall enter & Land; provided that the Master or purser of every Ship, shall first make Declaration upon Oath before any two principal Officers of the true content of his Ships lading, and shall likewise after declare upon his Oath, before the Customer, Collector, Comptroller, or Surveyor, or two of them, at the next Port of this Realm where his ship shall arrive, the quantity and quality of Goods landed at the other Port where bulk was first broken and to whom they did belong.

II. No Merchant, Native or Stranger, shall ship off the Goods of a Stranger in the name of a Native, upon pain of forfeiture and losing the goods and Merchandises so entred, and all his goods personal.

III. Every Merchant born out of the Dominions of His Majesty, and after made Denizen, shall pay the custom as before he was made Denizen unless, he doe inhabit & be constantly abiding or dwelling in some part or place of this Realm: In that case, such Merchants shall pay only as a natural born Subject and not otherwise.

IV. All Sugars, and other Forraign Goods and Merchandises (except Wines, Tobacco, wrought Silks, Haberdashery, and all sorts of Grocery Wares) first Imported, shall be again exported by any Merchant who is a subject of this Realm, or any other his Majesties Dominions within twelve months, or Stranger within nine months; And such Merchant or Merchants as shall export any such Forraign Goods or Merchandises (except before excepted) shall have allowance, and be repaid by the Officer which received the same, the one Moyety of the custom or Subsidy which was paid at the first Importation of such Forreign Goods & Merchandises, or any part thereof, and so as due proof be first made by certificate from the Officers of their due entry and payment of the custom and Subsidy of all such Forreign Goods and Merchandises Inwards, together with the further Oath of the Merchants Importing and Exporting the same, affirming the truth thereof, and the name of his Majesties Searcher or under-searcher in the port of Dublin, and of the Searcher of any other the Ports, testifying the Shipping thereof, to be exported, after all which duly performed in manner before expressed, the moyety of the Subsidy first paid Inwards, shall without any delay or reward more than the duty set down in the Table of Fees, for the Certificate be repaid unto such Merchant or Merchants, who do Export such goods and Merchandises within one month after demand thereof.

V. If any Merchant having duly paid all duties Inwards for Forreign Goods, and in regard of sales had, shall be enforced to keep the same or any part thereof in his hands without alteration of the property after the space of a year shall be elapsed; In this case, he is to be permitted to ship the same out for any the ports beyond the Seas, (if he so think fit) without payment, of any Subsidy for the same outwards, upon due proof that the same was duly entred, and Subsidy paid inwards.

VI. No Merchant or other person whatsoever, shall have any allowance, or abatement of Subsidy made him by Bill of store or otherwise, for any sort of Tobacco, under pretence of being corrupt or Unmerchable; But in case any Merchant shall refuse to make entry of such Tobacco, and to pay the full Subsidy of the same, the principal Officers of the Custom-house, or any two of them, shall cause all such corrupt Tobacco to be publickly burnt, as not wholesom for use, and the Owner thereof is to be discharged from paying any Subsidy for the same.

VII. Every Merchant bringing in any sorts of Wines into this Realm by way of Merchandise, and making due entries of the same in the custom-house shall be allowed ten per centum for Leakage, to be taken or deducted not out of the quantities of Wines, but out of the Monies received for the Subsidy; Provided such Wines be not filled up on Ship-board, and if so, no allowance then to be made at all for the same.

VIII. Every Merchant shall be allowed upon all other Goods and Merchandises, appointed to pay the Subsidy of poundage according to the rule of the before going Book of Rates to be imported, five in the hundred of all the said Subsidies of poundage so appointed to be paid.

IX. Every hoghead of Wine which shall be run out, and not full seven Inches or above left therein; And every Butt or Pipe not above nine Inches, shall be accounted for outs, and the Merchant to pay

no Subsidy for the same.

X. If any Wines shall prove corrupt, and Unmerchandable and fit for nothing but to distil into hot waters, then every Owner of such Wines shall be abated in the Subsidy according to such his damages in those Wines by the discretion of the Commissioners of the customs in the port of *Dublin*, and of the Collectors, and one other of the principal Officers in all other the out ports.

XI. If any goods or Merchandises, except Tobacco brought into this Kingdom, shall receive any damage by salt water or otherwise, so that the Owner thereof shall be prejudiced in the sale of such goods, the Commissioners in the Port of *Dublin*, and the principal Officers of the custom-house in all other the Ports, or any two of them, whereof the Collector for the time being to be one, shall have power to choole two indifferent Merchants experienced in the values of such goods, who upon visiting of the said Goods, shall certify and declare upon their corporal Oaths first administred by the said Commissioners or Officers what damage such goods have received, and are lessened in their true value, and according to such damage in relation to the Rates set on them in the foregoing Book of Rates, the said Officers are to make a proportionable abatement unto the Merchant or owner of the Subsidy due for the same.

XII. All Merchants transporting any sort of Woollen cloath called old drapery, as also Bayes and cottons, shall be allowed one in ten for a wrapper free of custom and Subsidy.

XIII. Inasmuch as the naturall situation of this Realm renders it sufficiently convenient for the storing and laying up of Commodities and Merchandize, brought in with intent to be afterwards carried out again for supply of Forreign Markets, by which much benefit and advantage may arise to his Majesty and People; The Lord Deputy therefore, or other chief Governour or Governours, and Privy Council of this Realm for the time being, shall and may (as they in their judgments shall see meet, and find most advantagious and beneficial to his Majesty and this Kingdom) appoint one certain Port in each province of this Realm, to which all Merchants, Strangers, and their Factors, sending his or their goods, with intent, and to the end and purpose aforesaid, may upon a reasonable composition or agreement to be agreed on by direction of the said Lord Deputy, or other Chief Governour or Governours and privy Council as aforesaid, and payment thereof made unto the collector or collectors of those ports, in lieu of all customs or Subsidies due and payable by this present Act, there Land and lay the same up, in His Majesties Ware-house at the Custom-house of those places, or such other Ware-houses or places, and no other, as shall be provided for that end and purpose by the Collector, Customer and Searcher of those Ports, under whose joynt custody the same are to remain, until they be shipped out again, which shall be done again without payment of any duties Outwards, or any thing more than a reasonable rate for Ware-house room; But if any Merchant, Factor, or other bringing in or laying up his or their goods by way of Composition, shall not export, but otherwise dispose of the same, every such Merchant, Factor, or other, shall before he or they receive his or their Goods from the Ware-house or place where they are laid up, pay unto the collector, not only so much as with his or their composition monies, shall compleat the whole customs and Subsidies of such goods, but likewise interest at the Rate of Ten pounds per cent. For so long time as the payment of the full duties of those Goods had been forborne; And for prevention of all Fraud and collusions, such Rules shall be observed by Merchants and Officers respectively, as the Commissioners of the customs with the allowance and approbation of the Lord Deputy, or other chief Governour or Governours, and Privy Council shall from time to time find fit and necessary.

XIV. The Officers who sit above in the Custom-house of the port of *Dublin*, shall attend the service of their severall places from nine to twelve of the clock in the forenoon, and one Officer or one able clerk shall attend with the book in the afternoon, during such time as the Officers are appointed to wait at the water side, for the better deciding of all controversies that may happen concerning Merchants warrants; All other the Officers of the Out Ports shall attend every day in the Custom-house of every respective port, for dispatch of Merchants and Ships between the hours of nine of the clock and twelve in the Morning, and two and four in the afternoon.

XV. The Searcher, Surveyor, or other Officer attending in any port or Creek, shall give knowledg to the collector of the head port to which they belong, with all convenient speed, of every ship that cometh in or goeth out at any Tide by way of Merchandise, or with goods from another Port by way of Certificate.

XVI. There shall be one shippers Book Outwards, and another Inwards kept in every Custom-house, wherein every ship or Vessel, going out or coming in by way of Merchandize, or with commodities of this Kingdom to or from any other Ports by Certificate, shall enter openly in the Custom-house, the name of the Ship and of the Master, the Burthen, from whence, and to and from what place it is freighted, before he take in any Lading, or discharge any goods, wares, or Merchandises whatsoever.

XVII. The Master or purser of every ship coming in by way of Merchandise, shall deliver under his hand, and upon his Oath before the Collector, or Cheque, on Bill of the Particulars and contents of the whole lading of the ship, with the names of the severall Merchants, and the mark, pack or outward form of the goods and Merchandizes according to his knowledge, and shall also make declaration thereof upon Oath.

XVIII. Every Matter of a ship that shall Lade any goods or Merchandizes for any parts beyond the Seas, shall enter his ship with the Collector, & Cheque, before he take in any goods, and before his departure, shall give notice of his whole Lading, with the names of the Merchants that have Laden goods in him, and shall answer upon Oath to such Questions concerning the same, as shall be demanded of him.

XIX. no Entry nor agreement with any merchant or others for customs or subsidy, shall be made by the Collector or others, nor any cocquet, warrant, or certificate sealed or subscribed, but openly in the customhouse.

XX. Every Merchant making an entry of goods, either inwards or outwards, shall be dispatched in such Order as he cometh, and if any Officer or his Clerk, shall either for favour or reward, put any Merchant or his servant duly attending by his turn, or otherwise delay any person so duly attending and making his entries aforesaid, to draw any other reward or gratuity from him than is Limited in the Table of Fees hereafter following; If the matter, Officer, or the Clerk be found faulty therein, they shall respectively upon complaint to the said Commissioners, or chief Officers be publickly discharged of their respective employments, and not permitted to sit any more in the Custom-house.

XXI. Every Merchant or other, that will Transport any goods by way of Merchandize for Foreign parts, shall make his entry particularly thereof, with the Collector and Cheque, by a Bill under his hand or the hand of his Assignes, with the name of the ship, the master, the Burthen, of whence and to what place it is Freight, with the marks and number of the Packs, Cask, Fardles, or other Bults, and the true Quantity and quality of the goods therein contained, which Bill shall forthwith be entred in a book by the Collector and deliver it to the Comptroller, to be entred by him likewise; And to file and keep the Bill of every ship together, as they shall be entred: and the true value of the goods, and of the custom, Subsidy, and duties thereupon due, shall be likewise set forth and charged in the Books at the time the Merchant maketh his entry.

XXII. All goods and Merchandise allowed for Store, Portage, or provision Inwards or Outwards, shall be valued according to the Book of Rates, although the same neither doth, nor shall pay any Custom or Subsidy, and shall be entred in Books distinctly and apart by themselves.

XXIII. The Searcher or surveyor shall have all cocquets, Certificates and Warrants delivered unto him before the Shipping or Landing of any goods therein contained, and at the time of the Shipping or landing thereof, shall have the said Cocquets, Certificates, and warrants with them that the goods may be thereby Examined and tryed, whether they agree in quantity and quality or no, which if he neglect or fail to do, every such surveyor or Searcher shall forfeit his or their place.

XXIV. Every Merchant shall have his particular Cocquet and Certificate by himself, sealed and subscribed openly in the Custom-house by the collector and comptroller, bearing date the same day that he entred his goods.

XXV. All Entries inwards or outwards by Licence shall be endorsed upon each particular Licence, with the name of the Merchant, the date of the Cocquet, or Entry, and the particular quantities shipped or landed by vertue thereof, shall be also set down and entred in the Books to which they properly belong.

XXVI. All Merchandise customed Outwards, in any ship or Vessel, which for some cause cannot be Laden aboard the same ship, shall be appointed to another Ship by Certificate openly sealed, subscribed and delivered in the Custom-house upon the Oath of the Searchers, or Surveyors, and of the Owners thereof: openly taken, that the said goods did not pass according to former Cocquet.

XXVII. Every Merchant entring any Merchandise Inwards, or taking up any Goods by store or portage, shall make entry thereof particularly, and deliver a Bill thereof at large under his hand, or the hand of his Assignee to the Collector, with the name of the ship, and of the Master, the burthen, of whence and from what place it was Freight, with the mark, and number of the Fardles, Bulk, and Paccage in the margin, and the true quantities and qualities of the goods therein contained, and the said Collector, shall with all convenient speed cast up the value of the goods and Merchandises therein, and the Customs and Subsidies thereupon due, and write it upon the said Bill, with the number and date of the Bill, according to which it shall be presently entred in the Book inwards, to be kept by the said Collector, & then by him delivered to the Comptroller or Cheque, to be like wise entred, according to which Bill another being subscribed by the said Collector, Comptroller or Cheque, and numbred and dated as the former shall be to the Surveyor, Searcher or Wayter, a Warrant to suffer the wares & Merchandises therein contained, to be Landed and discharged accordingly.

XXVIII. All manner of goods, wares and Merchandises, of which any Merchant shall make Oath he cannot perfectly enter for want of bills of Lading, advice, or some other just cause, shall be entered at sight, and shall be taken up by warrant (*ad visum*) dated the day of the Entry thereof, Subscribed and delivered openly in the Custom-house to the Searcher or Surveyor, who shall see the same brought to the Custom-house Key, or Wharf, and give knowledge thereof to the said Officers; which Officers shall suffer the said goods to be taken up in the presence of the Surveyor or Searcher, and viewed in some convenient place, and the Owner thereof shall forthwith make an Entry thereof particularly under his hand, or the hand of his Assignee, with the Collector and Comptroller, and thereupon a warrant shall be made for clearing and passing of the said wares as aforesaid accordingly.

XXIX. Every Merchant taking up goods at sight or other wise, who shall permit, or suffer his or their goods to lye and remain in any the Ware-houses of the Custom-house for longer than the space of se-

ten dayes without Entering or clearing the same, shall for such times as they continue there longer, pay such reasonable Rates for Ware-house room, as the Commissioners of the Customs, or the respective collectors of the Ports shall Judge meet to direct, the one halfe thereof shall be to the use of his Majestie & the other to the ware-house keeper, & to be paid before the delivery of such Goods unto the Merchant.

XXX. In the Port of *Dublin*, the Commissioners of the Customs, and in every other Port where more than one, whether Searcher, Surveyor or Waiters are appointed to attend there, the Collector shall nominate and direct under his hand, which and how many of them shall take charge of every respective Ship going forth, or coming into the same Port to see the goods and Merchandises therein cleared and discharged according to such Warrants as he or they shall receive from the Collector and Comptroller, and every such Officer as shall neglect or refuse upon notice given by the Merchant, to attend the Lading or unlading of any goods, shall forfeit for every default five pounds, the one moyety to the King, and the other to the party agrieved, and suing for the same.

XXXI. Every Waiter or other Officer appointed to attend the Lading or Unlading of goods, shall enter into a book, to be given him for that purpose by the Commissioners or Collectors in the several Ports, and in no other Book, or Paper whatsoever, the name of every Ship, and Master, unto the Lading or Unlading whereof he shall be appointed, and underneath each respective Ship, or Masters name either going out or coming in, shall enter the date of every Warrant, Cocquet, Tranfire, or Certificate, according to the order of their dates, which he shall receive for the Shipping or Landing any goods together with the quantities, qualities, numbers, weights, measures, and marks of all and every the same, goods or Merchandises, which shall be Shipped or Laid on shore upon any such Warrant, Cocquet, Tranfire or Certificate, with the time when, and how much at a time of the same was so Landed or Shipped off, which Book shall be quarterly, or as soon as filled, or written out be delivered up to the Commissioners, or the respective Collectors of the Ports or sooner, whensoever thereunto required; And every Officer that shall omit the doing hereof, or enter the goods Shipped off, or Landed in any other Book or Papers, than the Book that shall be given them for the purpose aforesaid, to be discharged from his or their Employment.

XXXII. Every Searcher or Surveyor shall enter into a Book, to be by him purposely kept for that purpose, the day of the going out and coming in, of every Ship by way of Merchandise, or by Certificate from another Port, with the name of the Ship, and Master, and the date of every mans Cocquet, Warrant, and Certificate.

XXXIII. No Searcher or other Officer of the Custom-house, having power to search and visit any Ship outward bound, shall without just and reasonable ground detain any such Ship under colour of Searching the goods Laden therein, above one Tide after the said Ship is fully Laden, and ready to set sail upon pain of loss of the Office of such Offender, and rendering dammage to the Merchant and Owner of the Ship, unless any occasion or delay happen by stress of weather, or other Emergency.

XXXIV. If any Wharfinger, Crane-keeper, Searcher, Lighter-man, Waiter, or other Officer, do consent or know of any goods Shipped or Landed without payment of Subsidy, or at any unlawful place or at any unlawful time, and do not disclose the same within one month after, shall forfeit one hundred pounds, and every Officer beside to lose his or their place.

XXXV. Every Officer that maketh any Cocquet or Warrant, contrary or disagreeing to the entry of any goods or Merchandises, shall lose his or their place.

XXXVI. All Officers whom it concerns in their respective places, shall be diligent and carefull to make stay and seisure of goods, wares and Merchandises that shall be brought in, or carried out, or intended to be carried out of this Realm, contrary to the Lawes of the same.

XXXVII. All goods and Merchandises, that shall be seised or stayed, shall presently after such seisure or stay be delivered into the charge of any Ware-house-keeper at the custom-house of the Port, where such stay or seisure shall be made there to remain untill sufficient Warrant and discharge shall be brought for release and delivery thereof.

XXXVIII. That every Officer who shall make any seisure, shall thereupon forthwith acquaint the Commissioners of the Customs therewith; And likewise certifie the same to the Register of seitures in the port of *Dublin* for the time being, together with the quantity and quality of the goods so seised, the time when, the ground whereupon he seised the same, with such other circumstances as are fit to be known for exhibiting Informations in the Exchequer against the same,

XXXIX. No Officer or other person shall make composition or agreement for the seisure or forfeiture of any goods, without Licence out of the court of Exchequer, or other lawful warrant first had & obtained,

XL. All Licence, Compositions, Fines, Recoveries, Warrants, Orders, and other discharges to be had, made, or granted, for or upon the aforesaid seitures and Informations, are to be entred with the Register aforesaid, and the mony or moneys thereupon due and payable to the use of his Majestie, to be paid to the Collectors of the respective Ports.

XLI. All appraisments of goods, wares and Merchandises, seised as aforesaid, are to be shewed and delivered to the Register aforesaid, before they be returned into the Exchequer, to be by him examined and entred; And if the goods be to much undervalued, the said Register is to make stay thereof, and to acquaint some of the Barons of the Exchequer therewith, to the end that a review, and new appraisment may be made of the goods.

XLII. That all bonds, taken for shipping goods to the Coast for which Certificates are returned shall be delivered quarterly into the Exchequer, with the Certificate thereunto annexed, and endorsed also thereupon, and every Term after the Account of the Officers, that did take them, is past, the said Bonds shall be delivered to every person that shall sue for the same, paying the usual Fees.

XLIII. All other Bonds, taken by the Collectors that be expired, and all other Bonds for which no Certificates are returned according to their conditions shall be delivered likewise into the Exchequer quarterly, after the breach of such conditions that process and execution may be had thereupon according to the due course of Law.

XLIV. That the Collectors of the several Ports, shall monethly send up an abstract of their several Receipts, and Quarterly, an Account of their Quarters Receipts unto the Commissioners of the Customs, Which account shall be half-yearly delivered by the said Commissioners unto the Auditor General of His Majesties Exchequer: And every Collector shall yearly betwixt the beginning of *Easter*, and ending of Trinity Term, repair to *Dublin*, there to make Oath of the truth of his or their respective accompts sent up to the said Commissioners, and by them delivered to the Auditor as aforesaid, and shall before they depart, fully adjust and clear their Accompts, every Collector failing herein, to lose his or their place or places.

XLV. That the Commissioners of the customs shall take and have inspection of the accompts, actions and proceedings of the Collectors, and all other Officers in the several ports, by viewing and looking over the Books, Papers, and Accompts, when and as often as they shall see cause: And the said Collectors or other Officers, at all times, and upon demand, are to render an accompt of their actions and proceedings, and to permit and suffer them, or any of them to have the sight and perusal of all and every their Accompts, Books, Entries, Warrants, or other Papers whatsoever, and to take notes out of all or any of the same as they shall judge needfull and requisite, every Officer refusing to give obedience herein, shall lose and forfeit his or their place or places.

XLVI. The said Commissioners, or some of their number, shall once every year at least, visit the several Out-ports of this Realm, to make Observation, and take cognizance how and in what manner the affairs of the Ports be carried on, and how the several Officers demean themselves in discharge of their Trusts and to Rectifie things in the best manner they possibly may, by giving such fitting and further Instructions from time to time to be their Rule and guide in the due and Lawful execution of this Act, as they the said Commissioners with the allowance and approbation of the Lord Deputie, or other chief Governour or Governours, and Privy Council shall think fit and meet.

XLVII. That for the better management, as well as lessening the charge of his Majesties Revenue the Commissioners of the Customs shall not at any time be more then seven, or less than five in number to be appointed from time to time by the Lord Lieutenant, Lord deputy, or other Chief Governour or Governours, and Privy Council of this Realm, and known unto them for persons of ability and experience in Custom affair, who shall have Commission under the Great Seal of this Realm during pleasure only, and shall make Oath, (the same to be administred by the Lord Chief Baron,) for the true and faithful discharge of their Trust, before they enter upon the same.

XLVIII. No Commissioner, Comptroler, Customer, or any other Officer of the Customs, their Deputies or Servants, shall have any ship of their own, or shall buy or sell by way of Merchandise, or shall meddle with Freightage or shipping, or have, or occupy any War or Key, or hold any hostelry or Tavern, or shall be any Factor or Attourney for any Merchant, or shall be host to any Merchant, or shall be a common Officer, or Deputy of any Common Officers in the City, Town, Burrough, or Town where he or they shall be Collector, Comptroler, or Searcher upon pain of losing his or their Office or employments as to the Customs.

XLIX. Every Collector, Customer, Comptroler, Searcher, or other Officer, shall from time to time, do his or their diligent attendance at the Custom-house, as shall be most for the dispatch of the Merchant, without consecreting or consenting to any thing which may be to the hurt or damage of his Majestie in the just answering of the Customs and Subsidies, upon pain that every such Officer shall forfeit and lose his or their several Offices and Employments. You are hereby required to take care, that the Act passed in England, intituled, *An Act for the encouraging and increasing of Shipping and Navigation*, be from time to time duly observed and executed.

A Table of Fees to be taken by his Majesties Officers respectively, in the several and respective Ports of Ireland.
(viz)

Custom- mer.	Sur- veyor	Comp- trol	Search- er	Gar- ger	Wack- er
s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
00 04	00 04	00 04	00 06	00 00	00 00
00 04	00 04	00 04	00 06	00 00	00 00
00 08	00 08	00 08	01 00	00 00	00 00

FOr the Entries of all Ships and Barques, arriving from *England*, or *Scotland*, by English or Irish.

For every Entry or warrant of discharge, by Bill of view or other

wise, of all goods in the same Ship or Barque by English or Irish.

For the Entry of all Ships or Barques arriving from Foreign

parts, by English or Irish.

For the entry and warrant of discharge by bill of View or other

	Cutto- mor	Sur- veyor.	Comp- troller.	Sear- cher.	Gau- ger.	pack- ers.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
wife of Goods in the same Ships or Barques, by English or Irish.	00 08	00 08	00 08	00 06	00 00	00 00
For the Entries of all Ships and Barques from England, or any other parts beyond the seas, by Strangers.	01 00	01 00	01 00	01 06	00 00	00 00
For the entry and warrant of discharge by Bill of View, or otherwise, of goods in the same Ships or Barques by Strangers.	00 08	00 08	00 08	01 00	00 00	00 00
For making of Bonds to his Majesties use, by English or Irish upon any occasion.	01 00	00 00	00 00	00 00	00 00	00 00
For making of Bonds to his Majesties use or employment, or upon any other occasion.	01 06	00 00	00 00	00 00	00 00	00 00
For every Entry into the Certificate Book	00 02	00 00	00 00	00 00	00 00	00 00
For every Endorment	00 04	00 04	00 04	00 00	00 00	00 00
For every Bill of Store, or allowance unto Natives	00 06	00 06	00 06	00 06	00 00	00 00
For the like by Strangers	00 00	00 00	00 00	00 06	00 00	00 00
For clearing Ships and barques, and examinig the book from England, by English or Irish.	00 06	00 03	00 03	00 00	00 00	00 00
For the like by the same for Foreign parts, by English and Irish.	01 00	00 06	00 06	00 00	00 00	00 00
For the like from England, or any other parts by Strangers---	01 04	00 08	00 08	00 00	00 00	00 00
for the Entries of all Ships & Barques to England or Scotland, by English or Irish.	00 04	00 04	00 04	00 06	00 00	00 00
For every Entry and warrant for shipping of all Goods in the same Ship or Barque by English or Irish	00 04	00 04	00 04	00 06	00 00	00 00
For the Entry of all Ships and Barques to England, or any other Port beyond the Seas by Strangers	01 00	01 00	01 00	01 00	00 00	00 00
For every Cocquet by English or Irish	01 00	00 09	00 09	00 06	00 00	00 00
For every such Cocquet by Strangers	00 00	00 00	00 00	01 00	00 00	00 00
For the sight of every Cocquet by Natives	00 00	00 00	00 00	00 06	00 00	00 00
For the like by Strangers	00 00	00 00	00 00	01 00	00 00	00 00
For every Cocquet of a great Ship Laden with Corn.	00 00	00 00	00 00	06 08	00 00	00 00
For every small Barque Laden with Corn	00 00	00 00	00 00	03 04	00 00	00 00
For every Dicker of Tanned Hides	00 00	00 00	00 00	00 02	00 00	00 00
For every Saddle horse paying no Custom, and allowed for provision	00 00	00 00	00 00	00 06	00 00	00 00
For the Entry of every Ship, barque or boat along the coast	00 02	00 01	00 01	00 03	00 00	00 00
For every Warrant for discharge of Goods by Port-cocquet by English or Irish.	00 00	00 00	00 00	00 06	00 00	00 00
For every warrant of Let Pass along the coast	00 00	00 00	00 00	00 06	00 00	00 00
For making every Certificate for Goods which paid Custom Inwards, and none Outwards,	01 02	00 07	00 07	00 00	00 00	00 00
For every Certificate upon warrant from the Lord Deputy, or other chief Governour or Governours paying no duty.	01 06	00 09	00 09	00 00	00 00	00 00
For endorling all warrants and Licences.	00 04	00 00	00 00	00 00	00 00	00 00
For every coast certificate, and the entry into his Majesties Books.	01 00	00 08	00 08	00 06	00 00	00 00
For discharging of Bonds, and filing the Certificates	00 06	00 00	00 00	00 00	00 00	00 00
For making Certificate of return in the Kings Books, Wax and Parchment.	01 00	00 04	00 04	00 00	00 00	00 00
For taking away the sails of any Ship, Barque, or other Vessel for a contempt or misdemeanor	00 00	00 00	00 00	06 00	00 00	00 00
Out of every Barque or Boat for bringing in Apples, to the Searcher one hundred of the same						
Out of every Barque or Boat bringing in Oysters, to the Searcher one hundred of the same.						
For Gauging every Tun of wine, Gauger 4. d.						
For Gauging every Tun of Oyle, Beer, or other liquid Commodities, Gauger 4 d.						
Besides out of every Ship bringing in Wins, one small Bottle of Wine for a Gauging Bottle.						
For every Barrel of Herrings, Gauger q.						
For the like by Strangers, Gauger ob.						
For every Barrel of Tallow or Butter Weighing two hundred weight, Gauge, 1 d.						
For the like by Strangers, Gauger 1 d. ob.						
For every hundred weight of like Commodities in uncertain Casks, and not in Barrels, Gauger ob.						

For the like by strangers, Gager, 1. d.

For every Barrel of Beef, Pork, Herrings or Salmon by Natives, Gager, q.

For the like by Strangers, Gager, ob.

For every Barrel of like commodity by strangers, Gager, ob.

For every Pack of Yarn, Fardle, or Bag of wooll, skins and all other packable commodities, Packer, 4 d.

And if it so happen that the Fees above-mentioned by reason of the smallness of Trade in any port or ports of this Kingdom, shall appear to be too little, or not sufficient for provision and maintenance of his Majesties Officers employed in such port or ports: That then the Lord Lieutenant, Lord Deputy, or other chief Governour or Governours, and Privy Council for the time being, shall have liberty to make and establish such Salary to be paid yearly unto the said Officers out of his Majesties Exchequer, as they in their judgements shall think fit, as the service, care and pains of such Officers may justly merit and deserve.

Provided alwayes and be it further Enacted by the authority aforesaid, that it shall and may be lawful for the Taster of all Wines, Oyls and other Liquors imported into any Port of this Kingdom, and the Surbeyor of the Duties & Defects of the same for the time being, to demand and receive the Fees following (viz.) For every But, Pipe, Tuncheon or large Cask, that shall be tasted or surveyed, six pence. For every Hoghead, Tierce, Barrel, Rundlet or smaller Vessel, that shall be tasted or surveyed, three pence.

Provided always that all Silks, and Silk Manufactures imported into this your Majesties Kingdom of Ireland, from any Forreign parts, other than from the Kingdom of England, and Dominion of Wales, do pay one entire third part more, over and above the Rates imposed, and set by the Book of Rates above mentioned, any thing before in this Act, or in the said Book of Rates to the contrary notwithstanding.

Provided also that all Sugars, Indico, Ginger, Cotton-woolls, and all other woolls, and all other commodities of the growth or manufacture of any the English Plantations first imported into, and landed in England, or Wales, and afterwards exported from thence into this your Majesties Kingdom of Ireland, do pay but one half part of all such Custom and Subsidies as according to the said Book of Rates is imposed, and set upon the said commodities: And that all Wines and Tobaccos of what sort soever imported into this your Majesties Realm of Ireland, out of your Kingdom of England, or Dominion of Wales, do pay so much onely in Subsidy, as upon the exportation of the same Wines, and Tobaccos out of England shall or ought to be repayed, or discharged of the Subsidy of Tunnage and Poundage and additional Duties there paid or secured for the same: And that for all other Forreign commodities except Wines and Tobaccos, and commodities from the English Plantations above mentioned, imported into this your Majesties Kingdom of Ireland, by any your Majesties Subjects from any the parts and places beyond the Seas, other than from your Majesties Realm of England, and Dominion of Wales, there shall be satisfied and paid to your Majesty, your Heires and Successors for ever, one third more in Subsidy, over and above the Subsidy payable for the same, according to your Book of Rates above mentioned: And that for all or any of the commodities or merchandises mentioned in this Act, or in the Book of Rates above mentioned, which shall hereafter be imported or exported by any Aliens or Strangers, born out of your Majesties Allegiance, the said Aliens or Strangers shall pay double the Custom or Subsidy payable by

ture of this Act for the same commodities and merchandises imported, or exported, by all or any of your Majesties natural born Subjects, any thing before in this Act, or in the Book of Rates to the contrary notwithstanding.

Five Shillings per Tun on French Shipping

Provided also, and it is hereby Enacted, that every Ship or Vessel belonging to any the Subjects of the French King, which from and after the four and twentieth day of June in the year of our Lord, one thousand six hundred sixty two, shall come into any Port, Cræk, Harbour or Road of Ireland, and shall there lade or unlade any Goods or Commodities, or take in, or set on shore any passengers, shall pay to the Collectors of his Majesties Customs in such Port, Cræk, Harbour or Road, for every Tun of which the said Ship or Vessel is of Burthen to be computed by such Officer of the Customs as shall be thereunto appointed, the sum of five Shillings currant money of England, and that no Ship or Vessel be suffered to depart out of such Port, Cræk, Harbour or Road, until the said duty be fully paid, And that this duty shall continue to be collected, levied and paid for such time as a certain duty of fifty shillings per Tun lately imposed by the French King, or any part thereof, shall continue to be collected upon the shipping of England lading in France, and three months after and no longer.

C A p. X.

An Act for Real Union and division of Parishes, and concerning Churches, Free-Schools and Exchanges.

Whereas Parishes are in some parts of this Kingdom so little, that five or six lye together within a mile or two, whereby the Subjects are like to be much burthened with the unnecessary charge of building and repairing so many Churches, and the means also are made so small, that sundry of them will not serve for the sustentation of one Incumbents and on the other side in some places Parishes are so vast, or extended in length, that it is difficult for the Parishioners to repair to their Parish-Churches, and return home the same day, and many times so inconveniently divided, that the Parishioners of one Parish may with much more conveniency repair to another Parochial Church than to their own, and all parties by an indifferent exchange may be better accommodated; And whereas Churches are often most incommodiouly seated at the uttermost bounds and limits of a great Parish, or in some small Island: And whereas inconvenient places are often nominated for the keeping of Free-Schools where there is no entertainment for Scholars, and more opportune places are pretermitted, and sometimes the Means allotted for one School is sufficient for two or three; And whereas in some places Deans and Chapters, and Dignitaries and Prebendaries of Cathedral Churches have three, four, five, six or more Benefices united to one Dignity or Prebend, or belonging to the community of the Church, and those sometimes situated twenty miles or above one from another; And Lastly, whereas the Glebs provided for the Inhabitation of the Incumbents, especially in the Escheated Counties, are often remote from the Parish Church, and the Bishops Lands are for the most part contiguous, or near adjoining to the Parish Church, and that the Equity of all particular cases of this kind consisting in a manner wholly in circumstances, cannot by one general Law be equally determined: Be it Enacted therefore by the Kings most Excellent Majesty, with the assent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the authority thereof, That from and after the Feast of St. Michael the Archangel, which shall be in the Year of our

This Act determines Michaelmas 1682.

our Lord, One thousand six hundred sixty and two, for and during the term of twenty years from thence next ensuing, it shall be lawful for the Lord Lieutenants, Lord Deputies, Lords Justices, or other chief Governour or Governours of this Kingdom for the time being, with the assent of six or more of the Privy Council, and with the advice and approbation of the Archbishop of the Province, and the Bishop of the Diocels, and with the consent of the respective Patrons and Incumbents, to unite Parishes and divide them, and to make exchange of the Premises, or any part thereof in perpetuity, saving alwayes to Impropriators being no Ecclesiastical persons, all such Right as now they have in the said severall and respective Parishes, except they themselves shall consent to alienate it, or exchange it: Be it likewise Enacted by the Authority abovesaid, That it shall be lawful for the said Lord Lieutenants, Lord Deputies, Lords Justices, or other chief Governour or Governours of this Kingdom for the time being, with the assent of six or more of the Privy Council, as is aforesaid, and with the advice and approbation of the respective Archbishop and Bishop, in whose respective Province and Diocels such Cathedral Churches, Schools or Parishes are lying and being, upon serious and mature deliberation, having searched out the truth by examination of Witnesses, or any other lawful means to remove Churches from one place to another, with the consent of the party upon whose Land the new Church is to be erected, and to remove Free Schools which are of the Foundation of your Majesty, or your Royal Progenitors, or of any Archbishop or Bishop from one Town to another more convenient within the same Diocels wherein the School was formerly kept, to divide the possession of any one of the said Schools into two or more, where they shall find cause to exchange whole Gleabs, or any part of them proportionably with Bishops Lands of the like value, the quantity, quality and convenience being considered, or with so much Temporal Land, so it be with the consent of the Owner: to disappropriate Benefices where they find over great a number appropriated to any Deanry, Dignity or Prebend, and to settle them upon Resident Incumbents, and to unite a presentative Benefice having Actual Cure of Souls to a Dignity without Cure, saving alwayes to the Patron, and Ordinary, their right of presentation or collation to such disappropriated Benefices. And in like manner to disappropriate any Rectories belonging to any Cathedral Church, so as the Rent now payed be reserved to the Cathedral Churches, or that Lands of the like value to the Rent in lieu thereof be assured to the said Cathedral Church, and to confirm whatsoever hath been, or shall be done in the premises or any one of them: Be it Enacted by the Authority aforesaid, that upon removal of the said Parish Churches, or disappropriation of Parishes, the Patron of the Church so removed or disappropriated, his heirs and assigns, shall be Patrons of the new Church, and shall have and enjoy all the Rights of Patronage, as if the Church had continued without any alteration or removal, And likewise that where two or more Churches or Parishes are united into one, having formerly had distinct Patrons, that in such cases the Lord Lieutenant, Lord Deputy, Lords Justices, and Council respectively as aforesaid, with the advice and approbation of the respective Archbishops and Bishops in whose Province and Diocels the said Churches were situated, shall divide the Patronage by turns among the Patrons, giving to each of them a Right to present oftner or seldomer, according to the true yearly Value of that respective Church or those representative Churches whereof they were Patrons, such settlement,

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or settlements as aforesaid, to be final and binding to all parties for ever.

Provided, that where your Majesty is intituled to the presentation of any the said Churches so to be united, your Sacred Majesty, your Heirs and Successors, shall from and immediately upon such union, upon the then first vacancy have the first presentation of an Incumbent unto such United Church: And afterwards upon the then next vacancy the other respective Patrons severally, as the Lord Lieutenant, Lord Deputy, or other chief Governour and Council as aforesaid, with the advice and approbation aforesaid, shall direct and appoint, and so in course respectively in manner as aforesaid.

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Lastly, it is provided that notwithstanding any Exchange, Disappropriation, or other alteration made, or to be made by force of this Act, the several and respective Leases for years, and their under-Tenants shall not be removed from their Farms and Holdings during their respective terms, but shall enjoy and continue the same, as if this Act had never been made.

CAP. XI.

An Act for the Customs, Excise, and New-Impost, to be continued until the four and twentieth day of December, one thousand six hundred, sixty and two

CAP. XII.

An Act for the Inlargement of the Periods of time; Limited in an Act for the better Execution of His Majesties gracious declaration for the Settlement of His Kingdom of Ireland, &c.

CAP. XIII.

An Act for Encouraging Protestant-Strangers and others, to inhabit and Plant in the Kingdom of Ireland.

FOrasmuch as the late Intestine troubles and cruel wars have much despoiled and wasted this your Majesties Kingdom of Ireland, whereby the Trade and Commerce thereof is much decayed and lessened for want as well of Merchants, Traders and Dealers of ability to exercise a Traffick, as of skilful Artificers, Artizens and Workmen for the making and working all sorts of Manufactures there.

And whereas for this cause many of the materials and commodities of the growth of this Kingdom, as Wooll, Flax, Hemp, Woollen and Linnen Yarn, Iron, and sundry others the like, are usually transported and carried into Foreign parts, there to be wrought and manufactured into sundry commodities, whereby the people of this your Majesties Kingdom are deprived of the benefit which might arise by working those materials themselves, and for want of Imploiment are necessitated to live idly and poorly, and so apt to run into Thefts, Robberies, Rebellions, and all other sorts of Mischiefs, and if any of the materials and commodities aforesaid do happen to be wrought in this Kingdom, either through unskilfulness, or other indirect practice of the Workmen, they are usually so wrought, as they are most commonly unfit for wearing at home, or merchandizing abroad, and therefore much coyn and ready money is carried out, and transported for buying and purchasing of Foreign Manufactures, to the great exhaustring and diminishing the Treasure of this Kingdom.

And whereas many Strangers and others, from the consideration of your Majesties most Princely wisdom, clemency and goodness, and of the plentifulness of all sorts of useful and profitable commodities with which this your Majesties Kingdom abounds in a very great measure, might be induced and inclined to transport themselves and families to the filling and replenishing of this Kingdom, as well with people as trade, if such Strangers might be made partakers of the
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advantages, liberties and privileges which this Kingdom hath formerly and doth still enjoy, under the most gracious and benign Government of your Majesty, and your most Royal Predecessors, and have the free exercise of their Trades, Mysteries, Crafts and Sciences of buying, selling, working and manufacturing the said materials without interruption and disturbance.

May it therefore please your most Excellent Majesty that it may be Enacted, and be it Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and of the Commons in this present Parliament assembled, and by the Authority thereof, That all and every person and persons born out of your Majesties Dominions, of the Protestant Religion, and all Merchants, Traders and Dealers in any Goods, Wares or Merchandises, Artizans, Artificers or others working or manufacturing any Goods or Commodities, or any Mariners or Seamen who are at present inhabiting within any part of this Kingdom, and all others who shall at any time hereafter within the term of seven yeares from the end of this present Parliament, transport his or their Stocks and Families into any part of this Kingdom, with intention that themselves and children after them, will inhabit, reside and abide in some part thereof, shall after his or their arrival with his or their stock, substance and family or families within this Kingdom, and after his or their taking the Oaths of Allegiance and Supremacy, to and of our Sovereign Lord the King, before the Lord Chancellour, or the Lords Presidents or Vice-presidents of the Province of Munster and Connaught respectively for the time being, or any Judge in his Circuit, who are hereby authorized to administer the said Oaths unto any such person or persons as aforesaid, and thereupon to certifye his or their doing thereof unto his Majesties High Court of Chancery, there to remain on Record, deemed, adjudged and reputed your Majesties liege, free and natural Subject or Subjects of this your Majesties Kingdom, and be adjudged, reputed and taken in every respect, condition and degree, to all intents, constructions and purposes, your Majesties natural and liege Subjects of this Kingdom, as if they and every of them had been or were born within this Kingdom of Ireland, and that they and every of them, their wives and children, in all things, and by all lawful ways & means whatsoever, shall & may use, have and enjoy the full grace & benefit of all and every the Laws, Preeminences, Jurisdictions and Customs of this Kingdom, to all intents, constructions and purposes in the Law, or otherwise whatsoever, in the same manner and form as any natural born Subject hath, may or can have, use and enjoy; and that they and every of them shall answer, and shall be answered unto, and shall and may implead or be impleaded in whatsoever Court or Courts of Justice or otherwhere within this your Majesties Kingdom, as the natural born, free, liege Subjects of this Kingdom of Ireland; And that they and every of them by force of this present Act, shall have full licence, freedom, liberty, power and authority as well to have, occupy, possess and enjoy, retain and keep, as to ask, demand, challenge and have, and also to acquire, buy and purchase, or receive by gift or otherwise by any lawful wayes or means to the use of them, & of all & every or any of them, their Heires, Executors, Administrators and Assigns of all and every or of any of them for ever, all, any and whatsoever Mannors, Messuages, Lands, Tenements, Rents, Services, Offices, Hereditaments and other Possessions, Goods real and personal whatsoever, as well by any of their

This Act to
be continued
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Ancestors & Predecessors acquired and purchased, or to them or any of them made, granted, enfeoffed, conveyed or assured, or which at any times hereafter shall and may be made, granted, enfeoffed, given, conveyed or assured, or shall come as Heir or heirs to their or any of their Ancestors lineally or collaterally by reason of any Descent, Remainder, Reversion, Right, or any other Title, Gift or conveyance whatsoever, or which after the first day of this present Parliament, shall descend, remain, revert, accrete come or grow unto Your said Subjects, or any of them, and in the same to inherit, succeed and come by Right of Inheritance, or otherwise howsoever, without the Let and Impediment of your most Excellent Majesty, your Heirs and Successors, any Law, Custom, Statute, Act, Provision, Ordinance, Restraint or Inhibition to the contrary, before this time made, Enacted, Ordained and Provided, or any other Matter, Cause or thing whatsoever notwithstanding. And also to prosecute, pursue, maintain, abow, justifie and defend all and all manner of Actions, Suits and Causes, and all other lawfull things whatsoever, to do as lawfully, frankly, fully, liberally, surely and freely as if your said Subjects had been and were born within this Kingdom of Ireland, and as any other person or persons naturally born within this Kingdom of Ireland, may Lawfully or in any wise do, any Act, Law, Statute, Custom, Ordinance, or other Thing whatsoever, had, made, done, promulged or provided to the contrary hereof in any wise notwithstanding.

And be it further enacted by the authority aforesaid, That every person and persons, as well Strangers and Aliens, as His Majesties Subjects of the Protestant Religion who is, are or shall be Traders, Artizans, Artificers, Seamen or otherwise skilled and exercised in any Mystery, Craft or Trade, or in the working or making any Manufacture or Art of Navigation who are at present residing and inhabiting within this Kingdom, or who shall at any time hereafter come into any City, Burrough, Priviledged and Incorporated Town or place of this Kingdom, with Intent, purpose and Resolution, there to inhabit, reside and dwell, shall upon his or their reasonable Suit or Request made, and upon payment down or tender of Twenty shillings by way of fine unto the Chief Magistrate or Magistrates and Common Council, or other persons authorized to admit and make freemen of such City, Town or Corporation where he or they do intend to inhabit, reside or dwell, be admitted a freeman of any such City, Burrough or Priviledged or incorporated Town or place within this Kingdom, and if he or they shall desire it, of all or any Guild, Brotherhood, Society or fellowship of any trade, craft or other mystery within all or any of the same, and during his or their Residence for the most part, and his and their families constant inhabiting within this Kingdom, and no longer to have, exercise and enjoy all Priviledges and Immunities of trading, buying, working and selling, in as large and ample manner as any freeman of any such City, Burrough, Priviledged and Incorporated Town or other place, might have, exercise or enjoy by virtue of his or their freedom; and that every such person or persons whatsoever who shall be admitted to be free as aforesaid, shall from thenceforth be deemed, esteemed, taken and be Denizen and Denizens within this Kingdom, any former Law, Statute, Charter, Usage or Custom of this Kingdom, or of any City, Burrough, Priviledged or Incorporated Town, or other place of the same to the contrary in any wise notwithstanding.

Provided

Provided always, and be it Enacted by the Authority aforesaid, That all Strangers, Artificers and others, to be admitted Freemen as aforesaid, before he or they be admitted to be Freemen as aforesaid, shall take the Oaths of Supremacy and Allegiance to our Sovereign Lord the King, his Heirs and Successors; and also such other Oaths as is accustomedly taken by all or any Freemen or Member of any City, Burrough, Priviledged or Incorporated Town or other place in this Kingdom, or all or any the Members of any Guild or Brotherhood, Society or Fellowship of the Trade, Craft or other Mystery which he or they shall occupy or exercise, in case he or they shall desire to be Incorporated into any such Guild, Brotherhood, Society or Fellowship aforesaid, and shall pay, bear and sustain all such Offices and like charges as all Freemen his Majesties Subjects of all like Trade, Craft or Mystery shall or do always use to bear and pay, and no other or more.

And be it further Enacted by the Authority aforesaid, That if any Chief Magistrate, Magistrates or other persons authorized as aforesaid, of any City, Town or Corporation, or any Master, Warden or other Governour of any Brotherhood, Society or Fellowship, or any Trade, Craft or Mystery within any such City, Town or Corporation, shall refuse to admit any trader, artificer, artizan, workman or seaman, being or coming into this Kingdom with intent as aforesaid to be a Freeman of the City, Town or Corporation where he or they intend to inhabit, reside or dwell, or to be a Brother or Member of any Brotherhood, Societie or Fellowship within the same, every such Chief Magistrate or Magistrates, Master, Warden or other Governours respectively, shall forfeit for such his denial the sum of One hundred pounds; And every Trader, Artificer, Artizan, Workman or Seaman so denied to be admitted a Freeman of any Citie, Town or Corporation, or to be a Member or Brother of any Brotherhood, Society or Fellowship within the same, upon tender by him or them made of Twentie shillings by way of Fine, as aforesaid, and taking the Oaths of Supremacie and Allegiance as aforesaid, before any Justice of Peace of the County next adjacent to such Citie, Town or Corporation, or wherein such Citie, Town or Corporation is situated, who is hereby authorized and appointed to administer such Oaths, shall thereupon by virtue of this present Act, be deemed, reputed and taken to all intents and purposes to be a Freeman or Member of the said City, Town, Corporation, Brotherhood, Society or Fellowship of any Trade, Craft or Mystery where he or they shall inhabit, reside or dwell, and be denied admission as aforesaid, and thenceforth have, exercise and enjoy the Liberty and Priviledge of trading, working, buying or selling of any Commodities whatsoever in as large and ample manner as if he had been admitted a Freeman of such City, Town or Corporation, a Brother or member of such Brotherhood, Society or Fellowship of any Trade, Craft or Mystery within the same, taking the usual Oaths of such Brothers or Members, which Oath any one Justice of peace near adjoyning, shall have power to administer, and bearing and sustaining all such Offices and Charges as aforesaid, any Law, Charter, Custom or Usage to the contrary in any wise notwithstanding.

And in case any person or persons shall give any interruption or disturbance to any Trader, Artificer, Artizan, Workman or Seaman aforesaid, to the hindering him in his working, buying or selling as aforesaid, contrary to the intent and meaning of this present Act, every such person or persons shall for every such offence forfeit the sum of Twenty pounds.

And be it further Enacted by the Authority aforesaid, That no Stranger born out of the Kings obedience, using any manner of Trade, Craft, Manufactory, Mystery or Occupation, and inhabiting within any of the Cities, Burroughs, Towns and Suburbs and Liberties thereof, or other places as aforesaid, shall at any one time use, take, retain and keep into his or their services, any Apprentices or any manner of Journeyman or Covenant-Servants above the number of Six, besides his or their Sons or Daughters, who are all to be Protestants, or else the Protestant Subjects of our Sovereign Lord the King, and born under his obedience, upon pain to lose his or their freedom, and to forfeit for every such Apprentice, Journeyman or other servant that he or they shall take or entertain above that number, contrary to this Act, the sum of Ten pounds, the one half thereof shall be to our Sovereign Lord the King, and his Heirs, and so of all other forfeitures mentioned in this present Act, and the other half to him or them that shall sue for it or them in any of the Kings Courts of Record, or before any Judge or Judges of Assize in his or their respective Circuits, by Bill, Plaint, Action of Debt or Information, wherein no Waiver of Law, Essoyn or Protection shall be allowed.

And be it further Enacted by the Authority aforesaid, That all Strangers of the Protestant Religion transporting themselves and families, and being Naturalized as aforesaid, shall for the space of Seven years from and after such transporting of themselves and families, and taking the Oaths of Supremacy and Allegiance, as aforesaid, be freed and exempted from payment of Excise, for any of their private household expences or provisions, any Statute, Law, Usage or Customs to the contrary in any wise notwithstanding.

CAP. XIV.

An Act for the securing Sir Edward Massy Knight, the mannor and Abby of Leix for Ninety nine years.

CAP. XV.

An Act that this Session of Parliament, shall not determine by His Majesties Royal Assent to this or any other Bill or Bills to be passed in this or any other Session in this Parliament

CAP. XVI

An Act for raising Thirty thousand pounds, for the use of James Duke of Ormond.

CAP. XVII.

An Act for Establishing an additional Revenue upon His Majesty, His Heirs and Successors for the better Support of his and their Crown and Dignity.

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FOrasmuch as nothing conduceth more to the peace and prosperity of a Kingdom, and the protection of every single person therein, than that the publick revenue thereof may be in some measure proportioned to the publick Charges and Expences: In consideration thereof, and to the intent and purpose that His Majesty, His Heirs and Successors may receive a full & ample recompence & Satisfaction for the profits of the Court of Wards in this Kingdom, and the Tenures, Wardships, Liberties, Primer Seizins, Ouster Remains, Values and Forfeitures of Marriage, by reason of any Tenure of the Kings Majesty, or of any other by Knights Service, and all mean Rates, and all other Gifts, Grants, Charges incident or arising for or by reason of the same and other perquisites incident thereunto, and for all Arrears, accounts and Demands any way due or payable for or by reason of the same from any of his Majesties Subjects of this his Kingdom of Ireland, since the three and twentieth of October, One thousand Six hundred forty and One, or that may grow due hereafter: Be it Enacted and it is Enacted by the Kings most Excellent Majesty by, and with the advice

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advice and consent of the Lords Spiritual and temporal, and Commons in this present Parliament assembled, and by the authority of the same, That for the considerations aforesaid from and after the twenty ninth day of September, in the year of our Lord God One thousand six hundred sixty two, every dwelling and other House and Edifice that are or hereafter shall be erected within this Kingdome of Ireland, other than such as in this Act are hereafter excepted, shall be chargeable, and by this present Act be and are charged with the annual payment to the Kings Majesty, his Heirs and Successors for every fire hearth, and other place used for firing and Stoves within every such house and Edifice as aforesaid the sum of two shillings Sterl. by the year, to be paid yearly, and every year, at the Feast of the Annuntiation of the Blessed Virgin St. MARY, and the Feast of St. MICHAEL the Arch-Angel by even and equal portions; the first payment thereof to be paid upon the Feast day of the Annuntiation of the Blessed Virgin St. MARY, which shall be in the year of our Lord One thousand six hundred sixty three. And to the intent that a just account may be had and taken of all the said hearths, firing places and Stoves, by this Act intended to be charged, Be it Enacted, and it is Enacted by the authority aforesaid, That every Owner or Occupier of every such house and Edifice, shall respectively within six days after notice given unto him or them by the respective Constables of every Parish, or by such other persons as are hereafter by this Act appointed to be assisting to the said Constables in the Execution of this Act, deliver unto the said Constables, or such other persons as aforesaid respectively, a true and just account in writing under the hands of such Owners or Occupiers as aforesaid of all the said hearths, firing places and Stoves, which are within their several and respective houses and Edifices aforesaid.

And be it enacted by the authority aforesaid, That the respective Constables and such other persons as are to be assisting to them in such manner as is hereafter expressed, within whose Limits any such house or Edifice charged by this Act as aforesaid are, shall by the twentieth day of December yearly require the several Occupiers of every such house & Edifice aforesaid, to deliver unto them respectively accompts in writing as aforesaid, under their several and respective hands, of all such hearths, firing places and Stoves as aforesaid, as shall be within their respective houses and Edifices, and upon receipt of the same or upon default of such accompt in writing, or in case there be no occupiers, then within six days after notice in writing fixed to the doore, requiring such Accompt to be made the said Constables, and such other persons as are to be assisting to them respectively as aforesaid, shall enter into the said respective houses and Edifices in the day time, and compare such accompts, and see whether the same be truly made or not; and if no such accompt be delivered, then shall take information by their own view of the number of such hearths, firing places and Stoves, upon pain that every Constable and all & every such other person and persons that are to be assisting to Constables in manner as is hereafter expressed, who shall neglect to do the same, shall forfeit for every week he or they shall so neglect, the sum of forty shillings, and for every false return wilfully made, contrary to this Act, he or they shall forfeit and lose for every hearth, firing place or Stove so falsely returned or omitted, the sum of forty shillings. And to the intent the said Return may be faithfully made, and his Majesties Revenue not impaired by false or short Returns, the Justices of the peace in

the several Counties, Cities and Towns of Ireland, being Counties of themselves, shall and may at any publick Quarter-Sessions, or other Sessions of the peace after the nine and twentieth day of September in each year nominate and appoint two persons of good repute in each Parish, to joyn with and assist the Constables in taking an accompt of the several Hearths, firing places and Stoves in each Parish, and making up the aforesaid Returns, who together with the said Constables are to sign and make the said Returns.

And in case any of the persons who are so to assist in making the said Returns shall refuse or neglect to take the said Accompt, or to joyn with the said Constables in making the said Returns, the Justices of the Peace shall at the next Quarter Sessions to be held for that County, cause every person so refusing to be indicted for such his neglect, and upon conviction impose such a Fine on him as they shall judge fit, not exceeding twenty Shillings: and in such case the Justices of the Peace shall receive a Return from the said Constables, that so the due payment of the said money be not retarded by any such omission or neglect, and where the Justices of Peace shall suspect any Returns that are brought in to be fraudulent, or shall be informed that the said Constables have not made full Returns, in that case the Justices are to employ such other persons as they shall think fit to take an accompt of the Hearths, firing places and Stoves of every such Parish where such neglect shall so happen.

And be it further Enacted by the Authoritie aforesaid, That the several Constables, and the said other persons who are hereby authorized to take the accompt of the aforesaid Hearths, firing places and Stoves within their particular limits as aforesaid, shall at the next Quarter-Sessions after the said Twentieth day of December, to be holden for their respective Counties, Cities and Countie-towns, deliver all such Accompts in writing as they shall receive, reform or take by their own view, unto the Justices of Peace in their respective Quarter-Sessions of the said Counties.

Accounts of
Hearths &
firing places
& Stoves to
be inrolled
duplicates
thereof by
the Justices
of peace

And be it further Enacted, That the said Justices of Peace shall cause all the said accompts of the several Hearths, firing-places & Stoves within the respective Counties, Cities and Countie-towns aforesaid, to be inrolled by the Clerk of the Peace of the said respective Counties, Cities and Countie-towns aforesaid, and also a Duplicate thereof in parchment under the hands and seals of three or more of the Justices of the Peace of the respective Counties, Cities and Countie-towns aforesaid, who are hereby required to sign the same, to be returned into his Majesties Court of Exchequer within two months next after such accompt delivered unto them at their respective Quarter-Sessions aforesaid, upon pain that the Clerk of the Peace of every such Countie offending therein, shall forfeit to his Majesty, his Heires and Successors the sum of fiftie pounds for the first month: and for the second month he shall so neglect, every such Clerk of the Peace shall forfeit and lose his or their place and office, and the same shall become void accordingly.

How the
Money a-
rising shall
be collected
received and
paid into
the Ex. Ch.
quer.

And to the intent that the Revenue hereby arising to his Majesty, may from time to time be paid into his Exchequer, with as little charge as may be: Be it Enacted by the Authoritie aforesaid, That the Sheriff of every Countie, Citie or Town, being a Countie of it self, shall be and are hereby made Collectors of and for the several sums arising within their several and respective limits by virtue of this Act, for which end and purpose the Clerk of the Peace of the said respective Counties

Counties, Cities and Countie-towns, shall within two months after such Accompts delivered to the Justices of the Peace of the respective Cities & Countie-towns aforesaid, deliver unto the respective Sheriffs of the Counties and places aforesaid, one other Duplicate of the said Returns in parchment, under the hands and seals of two at the least of the Justices of the Peace of the said respective Counties, Cities and Countie-towns, who are hereby required to sign the same. And the said Sheriffs shall every half year by themselves, or such other persons as they shall respectively under their hands and seals appoint, and for whom they will be answerable, collect, gather and receive the several sums due and payable by virtue of this Act from the several Occupiers of the said Hearths, Firing-places and Stoves, and upon payment thereof the said Sheriffs, or such as they shall respectively appoint as aforesaid, shall give several Acquittances without taking any thing for the same, and that every such Acquittance shall be a full and perfect discharge to every such person who shall pay the same, against his Majestie, his Heirs and Successors, so that no person who shall have such Acquittances shall be molested, sued or vexed, or put to any charge in his Majesties Court of Exchequer, or elsewhere.

And be it further Enacted by the Authoritie aforesaid, That in case any person who is hereby charged to pay any sum or sums of monies as aforesaid, shall refuse or neglect to pay the same, That then all and every such Sheriff and Sheriffs, and such other person and persons as shall be by him or them authorized as aforesaid to collect the same, shall and may levie the same by distress and sale of his Goods, of the person or persons so refusing or neglecting, rendering unto the said person and persons the Overplus of such money as shall remain in their hands by the said sale, after the said sum is discharged as aforesaid. And the said Sheriff shall from time to time within two months after the said sum shall be payable, by virtue of this Act, make payment of all the monies levied into his Majesties Exchequer with a perfect list of such persons as shall make default of payment where no distress can be found, every such Sheriff deducting Twelve pence out of every Twentie shillings of the payments that he shall so make by virtue of this Act, and so after that Rate, whereof Nine pence to be for the Sheriffs own use as a reward of his pains, in collecting and returning the same, and three pence to be paid by the Sheriff to the Clerk of the Peace for his pains, to be recovered by the said Clerk of the Peace by Action of Debt, and that his Majesties Officers in his said Court of Exchequer, shall discharge all such persons who paid their respective sums charged on them without taking any fees for the same, and shall also issue out process to levie the said Duties upon any the goods or Lands of the persons charged wheresoever the same shall be found, in case no distress can be found to be taken according to this Act, in the Countie or places where the said Dutie was first charged.

And be it further Enacted by the Authoritie aforesaid, That the Revenue and sum of money arising by virtue of this Act, except what is or shall be by this Act particularly otherwise disposed of, shall be duly and constantly paid and answered into his Majesties Court of Exchequer, and shall not be particularly charged or chargeable, either before or after, it be paid into the Exchequer or after, with any Gifts, Grants or Pensions whatsoever: And that all and every Grant of any such Pensions, and all and every clause of Non Obstantes with any therein contained, shall be and is hereafter declared to be utterly void, and all and every the persons to whom such Grants are or shall be paid.

fed, shall be and are hereby made Accomptants unto his Majesty, his Heirs and Successors, and shall pay back all sums of money received by pretence of such Grant: And the Court of Exchequer is hereby enjoined to issue out process accordingly.

Persons
acting upon
this statute
being sued
may plead
the general
Issue.

Treble cost
may be defend-
ant.

And be it further Enacted by the Authority aforesaid, that if any Action, Bill, Plaint, Suit or Information, shall be commenced or prosecuted against any person or persons for what he or they shall do in pursuance or execution of this Act, such person or persons so sued shall and may plead the general issue Not Guilty, and upon Issue joyned may give this Act, and the special matter in evidence; and if the plaintiff or prosecutor shall become Non-suit, or suffer discontinuance, or if a Verdict pass against him, or if upon demur Judgment pass against him, the Defendant shall recover treble Costs, for which there shall be like remedie as in any case where Costs by Law are given to the Defendants.

Increase of
Hearts
ring places
or Stoves
which may
happen.

Decreases
how dis-
charged.

And be it further Enacted by the authority aforesaid, That where any increase or decrease of such hearths, firing-places or Stoves shall hereafter happen, that an accompt in writing of the same shall be had and made in like manner as the same is directed to be first taken, returned and enrolled by this Act, and a Duplicate thereof sent into the Exchequer, in such sort as is before directed; and from thenceforth the Owner or Occupier of such house where such decrease is, shall be discharged proportionably without any further pleading in the Exchequer.

Provided always, that no person or persons shall be charged, prosecuted or brought to accompt for the Arrears of any Duty or Arrears of Revenue raised by this Act, unless the said Suit shall commence within Two years next after the same shall grow due.

Poor people
exempted.

Provided alwayes, That no person who lives upon Alms, and is not able to get his or her living by his or her work and labour, shall be charged or chargable with any the Duties by this Act imposed, any thing herein contained to the contrary notwithstanding.

Provided always, and be it further enacted, That in case any two Justices of the Peace, shall in writing under their hands yearly certify their belief that the house wherein any person doth inhabit, within such county wherein they are Justices of the Peace, is not of greater value than Eight shillings per annum, upon the full improved Rent, and that neither the person so inhabiting, nor any other using the same Messuage, hath, useth or occupieth any Lands or Tenements of their own or others, of the yearly value of eight shillings per annum nor hath any Lands, Tenements, Goods or Chattles of the value of four pounds in their own possession, or in the possession of any other in trust for them, then in such case upon such Certificate made to the Justices of the peace of such County, at any of their Quarter-sessions to be held for the same County, and allowed by them, for which Certificate and allowance no Fees shall be paid, the person on whose behalf such Certificate is made, shall not be returned by the Constables, or other persons to be assistant to them as aforesaid, and the said house is hereby for that year discharged of and from all Duties by this Act imposed, any thing herein contained to the contrary notwithstanding.

Penalty
upon any
person that
accept or
procure any
pension
&c.

Provided also, and be it enacted by the authority aforesaid, that if any person or persons: Bodies Politick or Corporate shall at any time hereafter procure or accept of from the Kings Majesty, his Heirs or Successors, any pension, Gift or Grant for Years, Life, or any other Estate, or any sum or sums of money, out of the Revenue arising by virtue of this Act, That then such person or bodies politick or Corporate

ratt,

rate, procuring or accepting the same, shall forfeit double the value of such Pension, Gift or Grant, the one moiety of which Forfeiture shall be to the use of the parish or parishes where the said Offenders be or inhabit, to be recovered by the Church-wardens, the other moiety to him that will sue for the same by Action of Debt, Bill, Plaint or Information.

And forasmuch as if Sir Richard Parsons Baronet, and Sir Arthur Chichester Knight, and Dame Jane Chichester alias Itchingham his Wife, may not equally partake with all other your Majesties Subjects of that Free Grace and favour which by the taking away the Court of Wards in this your Kingdom, is by your Majesties Goodness generally extended to all others your good Subjects here, it might leade a marke of your Majesties great displeasure to all succeeding Ages, upon Record, against the said Sir Richard Parsons an Infant not above Three years of age, and the said Sir Arthur Chichester, and Dame Jane Chichester, alias Itchingham, who is not above Sixteen years of age, whose Ancestors have eminently served your Majesties Royal Grandfather and Father of Glorious Memory: May it therefore please your Majesty that it be Enacted, and Be it Enacted by your most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament Assembled, and by the Authority of the same, That the Clauses and Provisoies contained in one Act of this present Parliament, Intituled, An Act for taking away the Court of Wards and Liberties, and Tenures in Capite, and by Knights Service; In which Clauses and Provisoies the said Sir Richard Parsons and Sir Arthur Chichester and Dame Jane Chichester alias Itchingham his Wife, are particularly named, and every of the said Clauses and Provisoies wherein the said Sir Richard Parsons, and Sir Arthur Chichester and Dame Jane Chichester alias Itchingham his wife, are particularly named, and every matter and thing therein contained, be and hereby are repealed and nulled, and made void to all intents and purposes, from, such time as the Grantees of the said Wardships shall receive such satisfaction for the same as is herein directed. And that the said Sir Richard Parsons and Sir Arthur Chichester and Dame Chichester alias Itchingham his wife, and every of them shall and may from such time have and enjoy such and the same benefit and advantage in as ample, large and beneficial manner to all Intents, Constructions and purposes whatsoever, as any other of your Majesties Subjects of this your Kingdom, shall, may, might or ought to have, by your Majesties royal Bounty and favour extended in the said Act generally to all your Majesties Loyal Subjects of this Realm, any thing in the said Clauses and Provisoies or either of them, or in the said Letters Patents therein mentioned, or otherwise, to the contrary, hereof notwithstanding.

And be it further Enacted by the Authority aforesaid, That out of Twenty the first moneys which shall be raised by virtue of this present Act, the thousand full sum of Twenty thousand pounds be taken and applied to the satisfaction of the several Officers of the Court of Wards, and others who in the profit of their Offices do receive particular loss, damage or hindrance by taking away of the said Court of Wards, and for satisfaction of Robert Boyl and Daniel O Reale Esquires, for their respective Wardships of the said Sir Richard Parsons Baronet, and Dame Jane Chichester alias Itchingham; the said sum of Twenty thousand pounds to be disposed and distributed amongst the said Officers and others as aforesaid, their Executors or Administrators, in full compensation of their said losses and damages, and for satisfying the

two Wardships before-mentioned, in such manner and according to such proportions to be respectibely divided amongst them, as the Lord Lieutenant or other Chief Governour or Governours and Council of this Kingdom shall think fit, who by Authority of this Act, are to give Warrants for the payment thereof accordingly.

And be it Enacted by the Authority aforesaid, That the said sum of Twentie thousand pounds sterl. or any other sum or sums whatsoever, shall not be levied upon this Kingdom, or the Subjects therein, or any of the Counties, Cities, Towns, Lands, Tenements or Hereditaments, by way of Subsidy, Assessment, Pole-money, or any other ways or means whatsoever, under pretence of giving satisfaction or a just compensation to the said Officers who suffer loss and damage by taking away the said Court of Wards, as aforesaid, any thing in this present Act, or in any other Act or Acts passed in this present Parliament in any wise to the contrary notwithstanding.

Prohiba for
Private
Ovens or
kilns

Provided, That this Act, or any thing therein contained, shall not extend to charge any private Oven or kilne within any of the Houses hereby charged, or any Hearth or Stove within the site of any Colledge, Hospital or Alms-house.

Provided, That the payments and duties hereby charged, shall be charged onely on the Occupier for the time being of such Hearth or Stove, dwelling in such House, Edifice, or whereto such Hearth or Stove shall be belonging, his Executors or Administrators, and not on the Landlord who let or demised the same, his Heirs, Executors or Assigns.

Provided, That no person or persons indebted for any the Duties aforesaid, shall thereby be privileged as a Debtor or Debtors to his Majesty, his Heirs or Successors, to sue any person or persons in the Court of Exchequer, or to assign any Debt to his Majesty, his Heirs or Successors, towards satisfaction of the same.

CAP. XVIII.

An Act for the Improvement of His Majesties Revenues upon the Granting of Licences for the selling of Ale and Beer.

Forasmuch as it is found by daily experience, That many mischiefs and inconveniences do arise, from the excessive number of Ale-houses, by the erection of them in Woods, Bogs, and other unfit places, and many of them not in Townships, but dispersedly, and in dangerous places, and kept by unknown persons not undertaken for whereby many times they become receptacles for Rebels, and other Malefactors, and harbours for Gamesters, and other idle, disorderd and unprofitable libers: and that those that keep those Ale-houses, for the most part are not fitted or furnished to lodge or entertain Travellers in any decent manner: For the redress of those inconveniences, and many other mischiefs daily observed to grow by the course now held: and to reduce needless multitudes of Ale-houses to a fewer number, to more fit persons, and more convenient places, Be it Enacted by the Kings most Excellent Majesty, with the advice of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That no manner of person whatsoever, shall keep any Ale-house, or Tipling-house, nor sell any Ale or Beer by retail within this Kingdom, but onely such as shall be licenced according to the true meaning of this Act, and upon such pain as herein after is expressed (that is to say) That every person which shall be licenced to sell Ale or Beer, shall upon receipt of his licence, pay to his Majesty Twenty shillings current money of and in Eng-

none to sell
Ale or Beer
without Li-
cence.

land, for every year that he shall stand, or be so licensed to sell the same: And for that no Licences can be granted, but by some persons to be sufficiently authorized: It is therefore Enacted, That Commissioners shall from time to time be awarded under his Majesties Great Seal, unto every County, City and Town Corporate within this Kingdom, to a convenient number of Commissioners, some of the chief to be of the Quorum, to be nominated by the chief Governour or Governours of this Kingdom, with the consent of the Council for the time being, the said Commissioners to be chosen of the Justices of the Peace, with others to be added to them, in every County of this Kingdom, as the chief Governour or Governours and Council of this Kingdom for the time being shall think fit: Which Commissioners shall consider as well of the number fit to be allowed to keep Ale-houses, as of the places where the same shall be kept, and of the ability and sufficiency of the person that shall be licensed to keep the same: Which said Commissioners or two of them at the least, whereof one to be of the Quorum, shall within one month after Easter yearly, Assemble at the Quarter-Sessions, and adjourn from time to time to some other known place within the limits of their Commissions, as they shall think fit, and then and there shall make choice of such persons, whom as well for their good behaviour, as for their abilities and conveniency of houses furniture & places of dwelling they shall know, or be credibly informed to be the fittest to keep Ale-houses, taking alwayes special care, that such as they shall licence, be persons of good behaviour and report, able to entertaine Travellers, and that their dwellings be in convenient places: as Market-towns, in Villages, on Road-ways, in Towns wherein are Parish Churches, and not in Bogs or Woods, or other unfit places: and that the same Commissioners or any two of them, one whereof to be of the Quorum, shall licence such persons to keep Ale-houses, and to sell Ale or Beer, in manner as aforesaid, for one year, from the Feast of Easter next preceeding the making of such Licence, and no longer: And that the party so licensed, shall immediately enter into Recognizance with a good Surety to his Majesties use, of Ten pounds Sterl. before the said Commissioners by whom he shall be so licensed: the Condition of which Recognizance shall be That the party so licensed, shall observe the Assize of Bread, Ale and Beer, and shall sell the same, and other victuals and provisions for Travellers and Strangers at reasonable rates, and shall not make or utter any unwholesom Bread, Beer, Ale or Victuals, and shall keep Two Beds at the least well and conveniently furnished, for the lodging of Strangers, and not to use or suffer any drunkenness, or excessive drinking, or any common dicing or carding, or other unlawful games, and to keep good order and rule in his or their houses, nor willingly to harbour any suspected persons, or any of ill behaviour, or any of the neighbours servants, during the time of their Licences, and not to harbour any strangers in his or their houses, unless in case of sickness or other reasonable cause abide four and twenty hours: The said Licence to be made, and the said Recognizance to be acknowledged at the publick Sessions, or other meetings of the said Commissioners for that purpose, and not otherwise. And that the said Commissioners by their said Commissions by vertue of this Act, be authorized as well to take acknowledgement of the said Recognizance to his Majesties use, as to make the said Licences: And that every such Ale-house-keeper as aforesaid shall pay to his Majesties use the said Twenty Shillings current money of and in England, at our entire payment, to

Commissions
to be awarded under
his Majesties Great
Seal.

Care taken
that licence
be granted
to persons of
good behavi-
our &c.

Their houses
in convenient
places

nor to bar-
bour any
stranger
but in sick-
ness about
24 hours

the hands of the Collectors to be appointed in every County for that purpose by the Chief Governour and Governours, and Council of this Kingdom, as aforesaid, of which Collector, the Commissioners to be appointed for granting the said Licences, are to take Recognizances, with good Sureties; which Recognizance the said Commissioners, or any two or more of them, are by this Act authorized to take accordingly, and return them into his Majesties Court of Exchequer the said sum of Twenty Shillings to be paid in manner as aforesaid, before the person so to be licenced take out his Licence: and that the Collectors aforesaid shall attend every Session of the said Commissioners, as well to make Licences and Recognizances, and to enter the names of all such as shall be licenced; and to enter the said recognizances into a fair Book, as also to receive such moneys as shall accrue out of the said Licences, unto his Majesty and the severall sums thereof likewise to enter into the said Book: And every Recognizance entered therein at the end of every sitting, shall be signed by the hands of two or more of the Commissioners at the least, whereof one to be of the Quorum, and shall be returned by the said Commissioners, together with such money as shall be received by the said Collectors upon the severall Oaths of the respective Collectors (which Oath any of the Barons of his Majesties court of Exchequer, are hereby impowered to give) into the Exchequer; and the money to be received for licences, to be granted between Easter and Michaelmas is to be returned by or before the end of Michaelmas Term yearly, and the money to be received between Michaelmas and Easter, to be returned by or before the end of Easter Term yearly, and if the said Commissioners, or any of them, or the said Collector, shall conceal the names of any person or persons so licenced, or any sum or sums of money received for the same, or any of the said Recognizances, the party so offending, shall for every such offence, forfeit the sum of ten pounds sterling, and suffer such further punishment by imprisonment, or otherwise, as his offence shall deserve.

Done to
use common
Ale-houſe
&c. without
Licence.

And be it further Enacted by the Authority aforesaid, That no person after Easter, which shall be in the year, One thousand six hundred sixty three, shall presume to keep any common Ale-house, or Tipling-house, or to use common selling of Beer or Ale by retail, without Licence as aforesaid, upon pain that every person offending herein, shall for every time he so offends, forfeit to his Majesty the sum of five pounds of like money.

Fees of
Collectors
& Clerks.

And it is further Enacted by the Authority aforesaid, That the said Collectors respectively do also receive One Shilling English, and no more, over and above the said Twenty Shillings English, to be paid by the persons to whom the said Licence shall be so granted, to be distributed by the Commissioners to their Clerks and Collectors aforesaid, in such manner and proportion as the chief Governour or Governours of this Kingdom and Council for the time being as aforesaid, shall from time to time prescribe for the carrying on of the Service aforesaid, and that the said Collectors shall neither directly nor indirectly exact, take or receive of any person to be licensed as aforesaid, any sum of money, Fee or reward for the said Recognizance, Licence or Acquittance, other than as aforesaid, for keeping any Ale-house or Tipling-house commonly selling Ale or beer by Retail without licence, upon pain of forfeiting the sum of ten pounds sterling, and shall also be put from his Office: And that none of the said Commissioners shall either directly or indirectly take any sum of money, Fee or Reward of any of the said Ale-housekeepers for and concerning the obtaining

of Licences as aforesaid, upon pain of forfeiting the sum of Ten pounds Sterling.

Provided always, that such persons as shall sell Ale or Beer, one-ly in places where the generall Assizes or the Quarter-Sessions shall be kept during the time of the Assizes or Sessions, or at fairs, during the time of the fairs, shall not be impeached for keeping or selling the same without licence.

And it is further enacted by the Authority aforesaid, That every one so to be licenced shall have some Signe, Stake or Bush at his Doore, to give notice unto Strangers and Travellers where they may receive Entertainment of Meate, Drink and Lodging for their reasonable money.

And be it further enacted by the authority aforesaid, That in case any person or persons whatsoever shall presume contrary to the intention of this Act, or shall incur any forfeiture or penalty therein mentioned, That every such person or persons so offending shall be proceeded against and punished, either in his Majesties Court of Exchequer, or before the Justices of assize at the generall Assizes, or the Justices of the Peace at their Quarter-Sessions, who by this Act are impowred to hear and determine the same by all such ways, and in such manner and form as to each of them respectively in their discretions shall be thought fit, as well for punishing of the Offenders by Fine and Imprisonment as aforesaid, or otherwise for reducing them to obedience and conformity.

And be it further hereby Declared, That the severall and respective fines and forfeitures before mentioned shall be the one moiety, or half of them for the use of his Majestie, his Heirs and Successors, and the other moiety or half to and for the use of him or them shall inform for them.

And be it further enacted by the authority aforesaid, That one Act of Parliament heretofore made in the tenth and Eleventh year of the Reign of our late dread Sovereign King Charles the first, Entituled, An Act for keepers of Alehouses to be bound by Recognizance, and every Clause, Articles, Matter and thing therein contained shall from Easter, One thousand six hundred sixty and three, be repealed and utterly void and of none effect.

Provided nevertheless, that this shall not extend to alter, change, revoke or otherwise discharge any former Collector who have or shall receive any money for licences in their hands by vertue of the said former Act, but that they shall be still accountable for the same.

And be it further Enacted by the authority aforesaid, that all and every sum and sums of money which shall become due and payable unto his Majestie by this Act, shall be duely and constantly paid into his Majesties Court of Exchequer in manner as aforesaid, and shall not be set or let to farm, or be charged or chargeable either before it be paid into his Majesties Court of Exchequer, or after with any Gift, Grant or Pension whatsoever (his Majestie intending to retain the same in his own hands) and not to interest any private person whatsoever in the profits thereof: And that all and every such Lease, Farm, Gift, Grant or pension whatsoever, and all and every clause of Non Obstante therein contained, shall be and is hereby declared, to be utterly void: And all every person to whom such Farm or Grant are or shall be passed, shall be and are hereby made Accomptants to his Majestie, his Heirs and Successors, and shall pay back all summs of money received or to be received by pretence of any such Grant or farm, and his Ma-
f f f f f f f
ties

lines Court of Erchequer at Dublin, is hereby impowered to issue out process accordingly.

And be it further Enacted by the authority aforesaid, That this present Act shall be published and made known unto the people by publick Proclamation in every Market Town.

CAP. XIX.

An Act for taking away the Court of Wards and Liveries, and Tenures in Capite and by Knights Service.

Eng: R. 12
Car: the 2
cap 24 the
reasons of
this act.

Whereas it hath been found by former experience, That the Court of Wards and Liveries, and Tenures by Knights Service, either of the King or otherwise, or by Knights Service in capite, or Socage in capite of the King, and the consequence of the same been much more burthensome, grievous and prejudicial to this Kingdom, than they have been beneficial to the King: Be it therefore Enacted by the King our Sovereign Lord, with the assent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, And it is hereby Enacted, That the Court of Wards and Liveries, and all Wardships, Liveries, Primer-seizins, and Ousterlemains, Values and Forfeitures of Marriage by reason of any Tenures of the Kings Majesty, or of any other by Knights Service, and all mean Rates, and all other Gifts, Grants, Charges, incident or arising for, or by reason of Wardships, Liveries, Primer-seizins, or Ousterlemains, be taken away and discharged, and are hereby Enacted to be taken away and discharged from the three and twentieth day of October, One thousand six hundred forty one: Any Law, Statute, Custome or Usage to the contrary hereof in any wise notwithstanding.

Fines for
alienation
&c
taken away

And that all Fines for Alienation, Seizures and Pardons for Alienation, Tenures by Homage, and all charges incident or arising for, or by reason of Wardship, Liberty, Primer-seizin, or Ousterlemain, or Tenure by Knights Service, Escuage, and also Ayde Purfitz, Marrier, and Purfair-fitz Chivalier, and all other charges incident thereunto be likewise taken away, and discharged from the said Three and twentieth day of October, One thousand six hundred forty one: Any Law, Statute, Custome or Usage to the contrary hereof any in wise notwithstanding.

tenures by
knights service
taken away

And that all Tenures by Knights Service of the King, or of any other person, and by Knights Service in capite, and by Socage in capite of the King, and the fruits, and consequence thereof happened, or which shall or may happen or arise thereupon, or thereby, be taken away or discharged: Any Law, Statute, Custome or Usage to the contrary hereof in any wise notwithstanding.

And all Tenures of any Honours, Manors, Lands, Tenements, or Hereditaments, or any Estate of Inheritance at the Common Law, held either of the King, or of any other person or persons, Bodies politick or corporate, are hereby Enacted to be turned into free and common Socage to all intents and purposes from the three and twentieth day of October, One thousand six hundred forty one, and shall be so construed and adjudged, and deemed to be from the said three and twentieth day of October, One thousand six hundred forty one, and for ever hereafter turned into free and common Socage: Any Law, Statute, Custome or Usage to the contrary hereof in any wise notwithstanding.

tenures by
homage

And that the same shall for ever hereafter stand and be discharged of all Tenure by Homage, Escuage, Ruyages Royal, and charges for the same

same Wardships incident to Tenure by Knights Service and values, and forfeitures of Marriage, and all other charges incident to Tenures by Knights service, and of and from Ayd, Purfitts,ARRIER, and Ayde Purfairs Chivalier: Any Law, Statute, Usage or Custome to the contrary in any wise notwithstanding.

And be it further Enacted by the Authority aforesaid, That where any person or persons hath, or shall have any Childe or Children under the age of twenty one years, and not married at the time of his death, That it shall and may be lawful to, and for the Father of such childe or Children, whether born at the time of the decease of the Father, or at that time in ventre sa mère, or whether such Father be within the age of one and twenty years, or of full age by his Deed executed in his Life time, or by his last Will and Testament in writing in the presence of two, or more credible Witnesses in such manner, and from time to time as he shall respectibely think fit to dispose of the custody and tuition of such child or children, for & during such time as he or they shall respectibely remain under the age of twenty one years, or any lesser time to any person or persons in possession or remainder, other than persons not of the communion of the Church of England as aforesaid: And that such disposition of the custody of such child or children, made since the three and twentieth day of October, One thousand six hundred forty one, or hereafter to be made, shall be good and effectual against all and every person and persons claiming the custody and tuition of such child or children as Guardian in soccage, or otherwise, and that such person or persons to whom the custody of such child or children hath been, or shall be so disposed or devised as aforesaid, shall and may maintain an Action of Ravishment of Ward or Trespass against any person or persons which shall wrongfully take away or detain such child, for the recovery of such child or children, and shall and may recover damages for the same in the said Action, for the use and benefit of such child or children.

And be it further Enacted, That such person or persons to whom the custody of such child or children hath been, or shall be so disposed or devised, shall and may take into his or their custody to the use of such child or children the profits of all Lands, Tenements and Hereditaments of such child or children: and also the custody, tuition and management of the Goods, Chattels, & personal estate of such child or children till their respective age of twenty one years, or any lesser time, according to such disposition aforesaid, and may bring such Action or Actions in relation thereunto, as by Law a Guardian in Soccage might do.

And be it further Enacted by the Authority aforesaid, That all Tenures hereafter to be created by the Kings Majesty, his Heirs or Successors, upon any Gifts or Grants of any Mannors, Lands, Tenements or Hereditaments of any Estate of Inheritance at the common Law, shall be and be adjudged to be in free and common soccage only, and not by Knights service or in capite, and shall be discharged of all Wardships, value and forfeiture of Marriage, Liberty, Primer seisin, Outshermain, Ayd Purfair-fitts, Chivalier, Ayde Purfitts,ARRIER: Any Law, Statute or Reservation to the contrary thereof any wise notwithstanding.

Provided nevertheless, and be it Enacted, That this Act, or any part thereof herein contained, shall not take away, or be construed to take away, any Rents, certain Heriots or suits of Court belonging or incident to any former Tenure now taken away or altered by virtue of this

this Act, or other service incident or belonging to Tenure in common soccage due, or to grow to the Kings Majesty, or mean Lords, or other private person, or the fealty, and Distresses incident thereunto, and that such Relief shall be paid in respect of such Rents, as is paid in case of a Death of a Tenant in common Soccage.

Provided also, and be it Enacted, That any thing herein contained shall not take away, nor be construed to take away, any Fines or Ali- nation due by particular customs of particular Mannors and places, other than Fines for Alienations of Lands or Tenements holden immediately of the King in Capite or knights service.

Tenures in
Frank-al-
moine.

Honorary
services.

Provided also and be it further Enacted, That this Act, or any thing herein contained, shall not take away, or be construed to take away Tenures in Frank-Almoine, or to subject them to any greater or other Services than they now are, nor to alter or change any Tenure by copy of Court Roll, or any Services incident thereunto, nor to take away the Honorary services of Grand Serjeanty other than of Ward- ship, Marriage, and Value of Forfeiture of Marriage, Escuages, Voyages Royal, or other charge incident to Tenure by Knights Ser- vice, and other than Wyde, Purfairits, Chivalier, and Wyde purfit Marrier.

Provided also, that this Act, or any thing therein contained, shall not extend to discharge any Apprentice of his Apprentiship.

Provided also That neither this Act, nor any thing therein contained shall infringe or hurt any Title of honour, Feodal, or other, by which any person hath or may have right to sit in the Lords House of Parlia- ment as to his or to their Title of Honour or sitting in Parliament, and the priviledges belonging to them as Peers: This Act, or any thing therein contained to the contrary any wise notwithstanding.

Proviso for
the educa-
ting such
Heirs in the
Communion
of the
Church of
England.

Provided also, and it is hereby further Enacted, For the Better e- ducating and bringing up of the Heirs of such persons in this Realm who having not been of the Communion of the Church of England are dead, or hereafter shall die, their said Heirs being under Age, that where any person not being of the Communion of the Church of Eng- land: That is to say, frequenting Divine Service, and not receiv- ing the Sacraments according to the Form prescribed by the Church of England as aforesaid, is or shall be dead seized of an Estate in any Lands, Tenements or Hereditaments, for which his Heir or Heirs should have been in Ward if this Act had not been made, his Heir or heirs be- ing under the Age of twenty one years at the time of the passing of this Act, and also whensoever any person not being of the Communi- on of the Church of England, as aforesaid, shall hereafter happen to die seized of such Estate in any Lands, Tenements or hereditaments, for which his heir or heirs should have been in Ward if this Act had not been made, his heir or heirs being under the age of twenty one years at the time of the death of such Ancestor, that in such case it shall and may be lawful to and for the Lord Chancellor of Ireland for the time being, the two chief Justices of either Bench in this Realm, and chief Baron of his Majesties Exchequer of this Realm, for the time being, the Master of the Rolls and Chancellor of his Majesties Exchequer for the time being, or any three or more of them, after Inquisition duly found and returned into the Chancery of this Kingdom, of the death of such person or persons not of the Communion of the Church of Eng- land as aforesaid, and of his Heir or heirs being so under age in such manner as they shall think fit from time to time to dispose of the cus- tody and tuition of such Heir and Heirs for and during such time as

he or they shall respectibely remain under the age of 21 years, or any lesser time to any person or persons next of kin to the heir, & to whom the estate cannot by law descend, such person being of the communion of the Church of Eng:

And to the intent & purpose that such heir & heirs may be educated & brought up in the Protestant religion, & estates preserved, such person or persons to whom the tuition & custody of such heir & heirs shall be committed, shall first enter into recognizance to the use of the said heir, with good sureties before the said Lord chancellor, the said two chief justices, chief baron, Mr. of the rolls & chancellor of the excheq: or any 3. or more of them as aforesaid, which recognizance they are hereby authorized to take accordingly, with condition for the educating & bringing up of the said heir & heirs in the Protestant religion, according to the communion of the Church of Engl: & for the management & disposal of the estates of such heir & heirs to his & their use & best advantage, & for the rendering a just account of the profits of such estates to such heir & heirs when he or they shall come to full age, & for the not committing any waste thereupon, & that such disposition so to be made of the custody of such heir or heirs, shall be good & effectual against all & every person or persons claiming the custody or tuition of such heir or heirs as guardian in socage, or otherwise: & that such persons to whom the custody of such heir or heirs shall be disposed as aforesaid, shall & may maintain an action of ravishment of ward or trespass against any person or persons which shall wrongfully take away or detain such heir or heirs for the recoveries of such heir or heirs, & shall & may recover damages for the same in the said action for the use & benefit of such benefit of such heir or heirs

And be it further enacted, that such person or persons to whom the custody of such heir or heirs shall be so disposed, shall & may take into his or their custody to the use of such heir or heirs the profits of all such lands, tenements & hereditaments of such heir & heirs. & also the custody, tuition & management of the goods, chattels, & personal estate of such heir & heirs. til the respective age of one & twenty years, or of any lesser time, according to such disposition aforesaid, & may bring such action or actions in relation thereunto, as by law a guardian in common socage might do.

Also it is hereby enacted & declared by the authority aforesaid, that if such person or persons to whom such grant or grants shall be made of the custody of such child or children shall die before he hath yielded an accompt unto the said heir or heirs of the full profits of such lands, tenements & hereditaments, defaulting all necessary & just charges that then the heirs, executors or administrators of such guardian shall be liable & yield a full accompt unto the said heir, his executors & administrators, of all such profits, goods & chattels real & personal so received by the said guardian for the benefit & advantage of the said heirs, defaulting all necessary & just charges as aforesaid, so far as they shall have assets to them descended & came from the said guardian, or in his right at the time of demand of satisfaction for the same, & if the said child or children shall die before he or they shall attain to his or their age of 21. years as aforesaid, that then it shall & may be lawful: & for the execut: or administ: of such child or children to call the person & persons so trusted for the benefit of him or them, & his or their heirs, execut: or administ: to an account for the same, & to receive such benefit thereby, as the executors or defunct might have done.

And be it further enacted by the authority aforesaid, that the sum of 10000 l. be raised out of the several counties, cities, towns & corporations of this kingdom before the 23. of Octob: in the year 1662. according to such proportion & in such way, & by such means as the Lord lieutenant, lords justices, or other chief governor or governors of this kingdom, & six or more of his Majesties privy council of this kingdom shall set down & appoint, which by this act they are authorized to do, which said sum of

the lands
and their
pe for as
estates to be
managed
by their gar-
dians.

ten thou-
sand pounds
to be raised
and paid to
Colonel
Thomas
Gott etc.

10000 l. 10 s. as aforesaid to be raised, shall be paid, divided & distributed unto Col: Tho: Diggett his Majesties present M^r. of his court of wards in this kingdom, & to & amongst the rest of the officers of that court judicial & ministerial in such manner, & according to such proportions as the Lo: Lieut: or other chief governoz or governozs of Ireland for the time being or any 6. or more of his Majesties privy council of Ireland for the time being shall thinke fit, & shall be unto them as a full recompence & compensation for their severall & respective offices they now hold in the said court

Provided always, that nothing in this act contained shall extend to intitle any person, the tenure of whose lands by this act are altered, to demand of the Kings Majestie any satisfaction for the rents, issues or profits of his lands: or the value of his marriage which hath been already received by or answered unto the Kings Majestie or his royal father, nor to make any person or persons to whom any wardships or custodies of bodies or lands have been given, granted or disposed, or the executors or administrators of any such person or persons liable to any accompt or any other suit or procelle for, touching or concerning the value of any marriage, or the profits of any lands by them received otherwise, or in any other manner than they ought to have been before the making of this act: any thing herein before contained to the contrary notwithstanding.

Provided also, that no last will or testament whereby any lands or tenements have before the making of this act been given or devised shall be of any greater or other force or effect than the same would have been if this act had not been made: any thing before contained to the contrary notwithstanding.

Provided alwayes, and be it further enacted, that neither this act, nor any thing therein contained, shall extend any benefit, advantage or favour unto Sir Art: Chichester Kt. & Dame Jane Chichester alias Itchingham his wife, or either of them, until that they have made such agreement with and given such satisfaction to Rob: Boyle Esq: for the value of the marriage of the said Jane Itchingham, as also for the past profits of the said estate, as the lord lieutenant or other chief governoz or governozs of Ireland for the time being shall think fit to determine: & that no matter, sentence, clause or thing in this act contained shall prejudice the right, title or interest of the said Robert Boyle unto the wardship of the body or lands of the said dame Jane Chichester, alias Itchingham value of marriage or mean profits of the said estate or arrears of the same, but that the same shall remain to all intents & purposes as if this act had never been made

Provided always, & be it further enacted, that neither this act nor any thing therein contained, shall extend to give any benefit, advantage or favour to Sir Rich: Parsons Baronet, son & heir to Sir Wil: Parsons late of Beallemount in the coun. of Dublin, deceased, until he hath made such agreement with, & given such satisfaction to Dan: O Neale Esq: one of the grooms of his Majesties bed-chamber, for the value of the marriage and mean profits of the estate of the said Sir Rich: Parsons, as the Lo: Lieut. or other chief governoz of Irela: for the time being shall think fit.

And it is hereby further enacted, that the wardship of the body & lands of the said Sir Richard Parsons, & also the mean profits of the estate of the said Rich: Parsons, together with the value of the marriage of the said Sir Richard Parsons, which were granted, or intended to be granted to the said Daniel O Neale by his Majesties letters patents under the great seal of England, bearing date the 1. day of Decemb. in the 12. year of his Majesties reign, shall be & are hereby given, granted & confirmed unto the said Daniel O Neale subject nevertheles to such agreement & satisfaction as aforesaid: any thing herein before contained to the contrary notwithstanding.

CAP. XX.

And for confirmation of letters patents granted by his Majesty to his grace James D. Or.
Vereas your most excellent Majesty did grant, restore & confirm
 unto James Duke of Ormond, Lord Steward of your Majesties
 household, divers Royalties, Franchises, liberties & jurisdictions, by let-
 ters patents under the great Seal of England, the tenor of which letters
 patents doth ensue in these words: Carolus Secundus Dei Gratia Angl. Scot. Fran.
 & Hiber. Rex. fd. defens. & c. omn. ad quos presentes lit. nost. perven. salut. Cum *Walterus* nu-
 per Comes *Ormond* & *Ossor*, Avus prædicti, Egregii, fidel. & Chariss. consang. & consil. nostri
Jacob. Ducis Ormond Senescal. Hospitii, nostri & cor. Antecess. Com. *Ormond*, ab antiquo habuer
 tenuer, usi & gavisi fuer. & habere, tenere uti & gaud. consuever. divers. regalit. Francesc. liber.
 & Jurisdic. in & per tot. comit. *Tipper*. intra reg. nost. Hiber. & tenuer. usi & gavisi fuer. diver. cur.
 intra præd. com. viz. cur. cano. ex qua brev. tam real. quam person. & mix. emana. & omnim. ju-
 risdic. & privil. ad hujusm. cur. quoquomodo spect. live perti. ac etiam cur. de Record. tent. cor.
 Senescal. libert. com. prædict. in qua quid. cur. placit. habit. & tent. fuer. de action. real. person. &
 mixt. et finlevat. fuer. ac etiam cur. Sess. et Goal. deliber. cur. com. & turn. vice-com. ac etiam de
 temp. in temp. nomin. fecer. ordin. & consil. diver. & seper. offic. intradic. libert. *Tipper* viz. cano.
 Thes. Senescal. magist. Rot. just. Aitor. Efec. vice-com. cleri. cor. cleri. merc. & coron. qui fuer. præd.
 com. *Ormond*. Offic. pro libert. præd. & com. præd. habuer. etiam & gavisi fuer. ab aliquo comp.
 inde red. nob. vel aliquib. nost. Regio. progeni. vel Antec. ter. omn. fel. intra dict. libert. permod.
 Elcari. & bona & caral. prædict. felon. fugit. ut lagat. & felon. de se intra dict. libert. ac etiam ad
 proprios usus percep. & gavisi fuer. omni. fin. amer. commod. & profici. dict. seperal. Curiar. & so-
 lebant. & usi fuer. capere recognit. ad eorum usus de inhabitant. dict. libert. pro causis intra dict.
 comit. nec non demit. & pardon. felo. transgress. & alias. offe. determin. in predict. cur. Quæ quide.
 regalit. franchises libertat. et Jurisdic. præd. habit. exercitat. et usitat. fuer. per: dict. *Walter* comit
Ormond. & antecess. suos comit. *Ormond*. et *Ossoria* de tempore in tempus donec et quo usq. sup.
 breve. de quo warranto tempore Regis *Jacobi* beatæ memor. *Avi* nostri præchariss. erga dict.
Walter comit. *Ormond*. et alios dicto *Waltero* tunc in prisona sub salva et arcta custod. exister.
 judicium super default. reddit. fuit et dict. libert. in manus præd. regis *avi* nostri virtute ejusde
 judicii capt. et seisit. fuer. in damn. non modic. et detri. præfati *Walter* comit. *Ormond*. et *Jacob*.
 nunc ducis *Ormond*. prognat. et hæredis masculi de corp. præd. *Walteri* cumq. etiam eo temp.
 quo dict. libert. sic ut præfertur seisit. fuer. et per multos ann. tunc præterit. quædam erat baron.
 nom. *Owlni* et *Arre* adjac. et confin. dict. comit. *Tippera*. et diversa alia oppida. vill. et villat. ja-
 cene. spars. in & int. seper. bar. dict. comit. *Tipper*. quæ quid. bar. opp. vill. vil. et terr. ab antiq.
 nuncupant. per nom. comit. *Crocie Tipper*. (Angl. the county cross *Tipper*). et ea omnia post seiscu.
 præd. in man. *avi* nostri sic ut præfert. fact. annex. fuerunt præd. comit. *Tipper*. et fact. pars. par-
 cel. et memb. ejusd. comit. et abinde huc usq. scil. per spacium trig. ann. ultim. præter. vel
 circiter nuncup. et cognosceb. nom. comit. *Tipper*. nos autem præmissa animo et reg. et grati.
 revolve. et summopere desideran. quod dict. *Jac. dux Ormond*. et hæ. masc. de corp. suo exeunt.
 et pro defect. tal. exitus hæ. masc. de corp. *Petri. Butler* quond. comit. *Ormond*. et *Ossor*. non sol.
 ad omni. regal. franch. libert. et jurisdic. præd. total. et integ. restituat. sed etiam ulterius habeant.
 teneant. utantur et gaudeant eisdem vel similib. regal. franch. et libert. et jurisdic. in et per tot.
 dict. baron. de *Owlni* et *Arre*. et in et per dict. oppid. vill. et villat. ab antiquo cogn. et nunc.
 nom. com. *Crocie Tipper*. præd. (angl. the county of cross *Tipperary*) sicut et eodem modo quo præf.
Walter comes *Ormond*. et ejus antecess. vel aliquis vel alius eorum habuit. et actualit. gavisus fuit in
 altera parte dict. comit. ut præd. est: sciatis igitur quod nos de gratia nostra speciali ac excer-
 ta scientia. et mero motu nostris ded. concess. restit. et confirma. ac per præf. pro nobis hæred. et.
 success. nostris damus. conced. restit. et confirm. dict. *Jac. duci Ormond*. tot. tal. ead. simil. et hujus.
 libert. privil. regal. franch. et jurisdic. in et per tot. dict. comit. *Tipper*. in et per tot. dict. baron.
 oppid. vill. et villat. ab antiq. cognit. et nunc per nom. comit. *Crocie Tipper*. (angl. the county
 cross *Tipperary*) quot qual. quant. et quæ præd. *Walterus* comes *Ormond*. vel. aliqui ejus antecess.
 vel prædecess. comit. *Ormond*. nunquam habuer. tenuer. et gavisi fuer. intra dict. comit. *Tippera*.
 ratione alicujus Don. seu concess. seu aliqua. litarat. patent. seu alicujus præscript. aut consu.
 habend. ten. et gaudend. omni. et singul. regalit. franch. libr. jurisd. et cetera præmiss. præfati *Jacobi*.
 duci *Ormond*. et hæ. masc. de corp. suo legitime procr. vel procre. et pro defect. talis exitus
 hæ. masc. de corp. *Petri Butler* quond. comit. *Ormond*. & *Ossor*. in tam ampl. modo et forma prout
 idem *Petrus* quond. comes *Ormond*. et *Ossor*. ut aliq. ejus antecess. progeni. vel prædecess. ante-
 hac habuer. aut vel gavisi fuer. præd. regalit. franch. libert. et jurisdic. in vel intra comit. *Tipper*.
 præd. et ulter. pro nobis hæ. et success. nostris damus. conced. restit. et confirm. præf. duci *Orm*.
 cu. cano. ex qua ut in temp. præter. emanab. omnia et omnimo. brev. ad quasq. actio. real.
 person. aut mixtas spect. vel pertinet in eadem curragere. exam. in. excut. et judic. omni. al. tal.
 actio. et fecit. quæcunq. ante hac usit. et ab antiquo. in ead. cur. triat. et ulter. per præf. pro nob.
 et success. nostris damus et conced. præf. *Jacobi duci Ormond*. unam cur. de record. ad triand.

H h h h h h

et

et termin: omnes actiones tam reales personarum quam mixtas ad potest: et auctor: levand: fin: perim: commun: recuper: et omni: tract: et res ad cur: de recor: spect: et pertin: et cum ea ante hac: com: habet: usit: ac etiam cur: sess: et go: delib: cur: comit: et turn: viceco: ac etiam tetr: et tene: felon: i: tra dict: libet: et comit: præd: per mod: El: caet: et omnia bona et catal: præd: felon: fug: ut legat: et felon: de se intra libet: et com: præd: et omnes fines: amerciam: profic: et emolum: quæcunq: de temp: in temp: proven: eman: vel proced: de vel ex præd: sepe: cur: et de vel ex aliq: earum: et ulterius pro nobis: hæret: success: nostris damus et conced: præf: *Jacob: duci Ormond:* et hæret: mas: de corp: suo plenam potentia: auctor: et licentiam ad usum suum propri: capere et recip: recognit: ab inhab: præd: libet: pro causis: rebus: et materiis trialibus & determinabilibus in com: *Tipper: præd: et in & per tot: lib: præd: ac etiam pardon: relaxare & remit: omni: & omni: felon: transgre: & l: offens: determi: in sepe: cur præd: et prænom: ad placit: et volun: dict: *Jacob: duci Ormond:* et hæret: mas: de corp: suo exeunt: vel eorum alicujus: et ulterius per præ: pro nobis: hæret: success: nostris damus: conced: et confirm: præf: *Jacob: duci Ormond:* et hæret: mas: de corp: suo: et pro defectu talis exit: hæret: mas: de corp: præd: *Petri Butler:* plenam potest: et auctor: de temp: in temp: ordin: nominet: constitut: divers: et sepe: offic: & ministr: ad attend: et serve: in dict: Separat: cur: viz: can: thes: au: senesc: magistr: rot: justiciat: ornari: El: caet: & vicecomit: cler: coron: et com: placit: cler: cancell: cleric: pacifi: cler: mercen: et coron: intra libet: præd: ac omnia et singula: libet: privi: et auctoritat: quæ: antehac pierumq: usi teneb: possideb: et gaudeb: per antecess: præf: *Jac: duci Ormond:* anteq: præd: libet: in manus avi nostri sic ut præf: capt: & seisit: fuer: prout: per sepe: & divers: recor: inde plet: appar: except: tamen ex hac nostra concess: quatuor plac: viz Incend: rapt: foris: & thes: invent: habend: gaudend: & tene: omni: dict: regal: franch: Jurisd: & libet: & omni: & sing: al: præmiss: per præf: dan: & concess: restit: & confirm: & quamlib: inde: par: & par: exc: præ: exc: præf: *Jac: duci Ormond:* & hæret: mas: de corp: suo & pro defectu tal: exit: hæret: mas: de corp: præd: *Petri Butler:* alicq: com: *Ormond:* & *Off: absq: alicq: comp: inde vel pro aliqua par: corund: reddend: nobis hæret: vel success: nostris & in tam amp: modo & forma prout aliquis: alius: vel aliqui alii ante hac eadem habeb: possideb: vel gavisi fuit: habeb: possideb: vel gavisi fuer: & ulterius per præf: regiam nostram voluntat: declaram: demonstram: & enunciam: esse & pro nobis hæret: & success: nostris dam: & conced: & confirm: quod præd: com: *Tipper:* & omni: & sing: in: tab: & iud: deinceps in perpet: liberat: exonerat: acquiet: & exempt: erunt: & fuer: de & a Jurisd: præf: & *Pref: cur: Momonie:* in regno nost: *Hibernie:* & in *Momonie:* præd: tenet: & de & ab omni: aliis curis quibuscunq: in tam amplis modo & forma quam præd: com: & inhabit: ejusd: aliq: temp: anteq: com: *Crocie* præf: unit: conjunct: vel annexat: fuit præd: com: *Tipper:* liberat: exone: acquiet: & exempt: fuer: temp: præd: *Walteri com: Ormond:* aut aliqui: suor: antecess: vel predecess: com: *Ormond:* vel eorum alicujus: & in tam amp: modo & forma quam aliqui alius comit: non exist: infra Jurisd: præd: præfides acquiet: & exempt: est aut esse debet aliq: lege: Statut: act: Parliam: Proclamat: Judicio: provis: restrict: consuet: aut aliqua alia re: causa vel mater: quacunq: vel quibuscunq: in contrar: non obstant: & ulter: pro nob: hæret: & success: nost: per præf: conced: conven: consent: contr: & pollic: præf: *Jacob: duci Ormond:* & hæret: mas: de corp: suo exeunt: quod nos hæret: & success: nostri assens: & consens: nostrum reg: dare: conced: & trib: dignab: alicui act: Parliam: in act: tand: in regno nost: *Hibernie:* præd: pro meliori corroborat: et confirmat: harum literar: nostrar: patent: quandocunq: præf: *Jacob: Dux Ormond:* illud a nobis desiderav: aut supplicav: Eo quod expressa mentio de vero valore annuo vel de certitud: præmiss: sine eorum alicujus aut de aliis donis sive concession: per nos super aliquem progen: sive predecess: nostror: præf: *Jacob: duci Ormond:* ante hæc tempo: fact: in præsent: minime fact: existit aut aliquo Statut: aut Ordin: provis: proclamat: sive restrict: in contra: inde ante hac habit: fact: edit: Ordin: seu provis: aut aliqua alia re: causa vel mater: quacunq: in aliquo non obstant: in cuius rei testimon: has liter: nostras fieri fecimus teste meipso apud *Westm:st:* vicefimo secundo die *Aprilis* anno regni nostri decimo quarto.**

Now for avoiding all doubts, ambiguities & questions which in after times may arise upon the said letters patents, your Majesties most loyal & faithful subject & servant the said James D. of Ormond humbly prayeth, that it may please your Majesty that it may be enacted, & be it enacted by your most excellent Majesty, by & with the assent & consent of the Lords spiritual & temporal, & Commons in this present parliament assembled, that the said letters patents, & every clause, article & sentence in them contained shall stand, be & are by the authority of this present parliament ratified, allowed, approved & confirmed. And that all the said royalties, franchises, liberties, exemptions, privileges, concessions, jurisdiction, & all other things of what nature or sort soever they be, contained in, or granted, or mentioned, or intended to be granted by the said letters patents, be & are hereby vested, settled, & adjudged to be in the said

James

James D. of Ormond, & the heirs males of his body begotten, & every other person & persons in remainder limited in & by the said letters patents, & that the said James D. of Ormond, & the heirs males of his body, & every other person & persons in remainder limited in & by the said letters patents, shall & may have, hold, use, possess & enjoy all the said royalties, franchises, liberties & jurisdictions, & all other things of what nature soever, according to the purport of the said letters patents, & with such & the same privileges & commodities in such large, ample & beneficial manner & form to all intents & purposes, as in & by the said letters patents are mentioned, limited & appointed: Saving nevertheless to all & every person & persons, bodies politique & corporate, their heirs & successors all such franchises, liberties privileges & jurisdictions, as they or any of them had used or enjoyed in the said county of Tipperary, or county cross Tipperary, or either of them before & until the said judgment given by default as aforesaid, & the seizure of the liberties in the said letters patents mentioned by virtue of the said judgment: any thing in this act contained to the contrary notwithstanding.

C A P. XXI.

An Act for Increasing the Fee of the Seal due to the Lord Chancellor of Ireland.

Whereas the fees of the seal due to the Lord Chancellor of Ireland are very small & inconsiderable, & forasmuch as it is necessary that there be an addition made to the present fees of the Seal due to the Lord Chancellor, which may continue for after times, that so the said office may be supported in some degree suitable to the dignity of the said place for his Majesties honour & services be it therefore enacted by the Kings most excellent Majestie, by & with the advice & consent of the lords spiritual & tempozal, & the commons in this present parliament assembled, & by the authority of the same, that the Lord Chancellor or keeper or commissioners for the custody of the great seal of Ireland for the time being, & in all times hereafter shall & may receive & take to his & their own proper use, 10. s. sterl. from every patentee, for & upon every patent which shall pass the great seal of his Majesties kingdom of Ireland of any pardons, honours, dignities, liberties, privileges, benefits, offices, lands, tenements or hereditaments, & of all other grants wherein or whereby any estate, interest or benefit shall pass from his Majestie to any patentee, any law, statute, usage or custom heretofore to the contrary notwithstanding. C A P. XXII.

An Act for the Rating of 23500. li. sterling for the several uses therein expressed.

C A P. XXIII.

An Act for keeping and celebrating the 23^d. of October, as an anniversary thanksgiving in this Kingdom.

Whereas many malignant & rebellious papists & Jesuits, fryers, Seminary priests & other superstitious orders of the popish pretended clergy, most disloyally, treacherously & wickedly conspired to surprize his Majesties castle of Dublin, his Majesties principal fort of this kingdom of Ireland, the city of Dublin, & all other cities & fortifications of this realm, & that all the protestants & English throughout the whole kingdom that would not join with them should be cut off, & finally by a general rebellion to deprive our late Sovereign Lord of ever blessed memory K. Charles the first, of this his ancient & rightful crown & sovereignty of this kingdom, & to possess themselves thereof, all which was by the said conspirators plotted & intended to be acted on the 23. of Octob. in the year of our Lord God 1641. a conspiracy so generally inhumane, barbarous & cruel, as the like was never before heard of in any age or kingdom, & if it had taken effect in that fulness which was intended by the conspirators, it had occasioned the utter ruine of this whole kingdom, & the government thereof & however it pleased Almighty God in his unsearchable wisdom & justice as a just punishment, & deserved correction to his people for their

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sins, & the sins of this kingdom to permit them & afterwards the effecting
 of a great part of that destruction complotted by those wicked conspi-
 rators, whereby many thousand Brittish & protestants have been massa-
 cred, many thousands of others of them have been afflicted & tormen-
 ted with the most exquisite torments that malice could suggest, & all
 mens estates as well those whom they barbarously murdered, as all o-
 ther good subjects were wasted, ruined & destroyed, yet as his Divine
 Majesty hath in all ages shewn his power & mercy in the miraculous
 & gracious deliberance of his Church, and in the protection of religious
 kings and states, so even in the midst of his justice he was graciously
 pleased to extend mercy to his Majesty & to this his kingdom, and good
 subjects therein, not only in mercifully discovering to the then Lords
 Justices by one Owen O Connolly a meere Irish-man, but trained up
 in the protestant religion, who out of a sense of his duty & loyalty to
 his Majesty, & for the preservation of his good people, & as an effect of
 that religion he was trained up in, revealed that hideous & bloody trea-
 son, not many hours before the appointed time for the execution there-
 of, but also in preserving the said castle & city of Dublin, and some o-
 ther cities, towns and castles in the kingdom from the bloody hands of
 the barbarous conspirators, as also in thereby rendring deliberance of
 the lives of the said Lords Justices and Council, and of all the Brittish
 and protestants in Dublin, and in the said other cities, towns and ca-
 stles preserved, and of sundry other Brittish and protestants slain into
 the hands of those rebellious conspirators, and likewise in sending us
 succours out of England hither by the piety, care and wisdom of our
 late sovereign Lord King Charles the first, whereby with Gods blessing the
 good subjects of this kingdom, have hitherto continued safe under his
 mighty protection, notwithstanding the unexampled rage and impla-
 cable malice of those merciless rebels. Wherefore as we do most hum-
 bly and justly acknowledge Gods justice in our deserved punishments
 in those calamities, which from the counsels and actions of those con-
 spirators, and their adherents have fallen upon us in this kingdom in
 general, so we do in like manner acknowledge, that even in exercising
 of that his justice he remembered mercy also, and magnified his mercies
 to us in those great blessings which we humbly confess to have pro-
 ceeded merely from his infinite goodness and mercy, and therefore to
 his most holy name we do ascribe all honour, glory and praise: And to
 the end this unfeigned thankfulness may never be forgotten, but may
 be had in a perpetual remembrance, that all Ages to come may yield
 praises to his Divine Majesty for the same, & have in memory that joy-
 ful day of deliberance, be it therefore enacted by the kings most excellent
 Majesty, with the assent of the Lords spiritual & temporal, and Com-
 mons in this present parliament assembled, and by authority of the
 same, that the 23. day of Octob: shall be kept and celebrated as an an-
 niversary holy day in this kingdom for ever, and that all persons do
 at that day forbear all bodily labour, & the exercise of their trades, and
 that all and singular ministers in every cathedral and parish church,
 or other usual place for common-prayer within this Realm of Ireland,
 shall always upon the 23. day of Octob:, say morning-prayer & give
 thanks to Almighty God for that most happy and miraculous deliber-
 ance and preservation far above the expectations of those wretched con-
 spirators, and that all & every person & persons inhabiting within this
 realm of Ireland, shall yearly upon the 23. day of Octob: diligently &
 faithfully resort to the parish church or chappel accustomed, or to some
 usual church or chappel where the said morning-prayer, preaching or o-
 ther service of God shall be used, & then & there abide orderly & soberly

during the time of the said prayers, preaching or other service of God there to be used and ministered, & because all & every person may be put in mind of his duty & be then the better prepared to the said holy service: Be it enacted by the authority aforesaid, that every minister shall give warning to his parishioners publickly in the church at morning prayer the Lords Day next before every such 23. of Oct: for the due observation of the said day, and that after morning-prayer or preaching upon every such 23. of Oct: they read publickly, distinctly & plainly this present Act.

ANNO XVII. & XVIII. Caroli II. Regis, Statuta, Actus, Ordinationes & provisiones in Session Parliamenti, predicti, apud Dublin, predicti, vicesimo sexto die Octob. Anno Regni dicti dom. Regis nunc decimo septimo coram prefat. Locum, tenent, similiter, tenet, edit, in hec verba,

CAP. I.

An Act for the granting of eight entire subsidies by the Temporality.

CAP. II.

Anno Regni Caroli Secundi Regis Angliæ, Scotiæ, Franciæ & Hiberniæ, 17. At the Parliament begun at Dublin, on the eighth day of May Anno Domini 1661, in the 13th year of the reign of our Most Gracious Sovereign Lord Charles the second by the Grace of God, of England, Scotland, France and Ireland, King, Defender of the faith, &c. and there continued by several Prorogations, unto the 26. day of Octob. Anno Domini, 1665, and in the 17th year of His Majesties Reign.

VV Hereas in carrying on of that service which was appointed by a former act, intituled, *An Act for the better execution of his Majesties gracious declaration for the settlement of His Kingdom of Ireland, and satisfaction of the several interests of Adventurers, Soldiers, and other his Subjects there,* several doubts & difficulties have arisen partly from the uncertain and ambiguous penning of divers clauses in the said act: & partly from other accidents, which could not then be foreseen, to the great obstruction & hinderance of the publique ends & aims intended by that act to be promoted, and the very great disappointment of several persons & interests, which were thereby intended to be secured, in so much, that the full & final settlement of this your Majestys Kingdom can hardly be attained by any further proceedings upon the said act, as is already manifest by the experience which hath been had in the execution thereof: to the end therefore that your Majesties most gracious and just intentions by that act declared, may still be pursued as far as remains possible, the revenues of the church settled and increased, your Majesties dutiful and loyal subjects quieted and secured in their just possessions, and the minds of all men so composed, that there may be a general and universal care and industry by building, planting, and all other ways of improvment, to repair and amend the ruins and desolations of this your Majesties Kingdom: may it please your most Excellent Majesty, that it may be enacted, and be it enacted by your most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and the commons in this present parliament assembled, and by the authority of the same, that all Honours, manors, castles, houses, places, lands, tenements and hereditaments, right, title, service, chieftie, use, trust, condition, fee, rent-charge, chattels real, mortgage, right of redemption of any mortgages, recognizances, judgments, forfeitures, extent, right of Action, right of entry, statute or any other estate of what nature or kind soever, in all and every the counties, baronies, cities, townes corporate, and walled townes within this kingdom, which at any time from & after the 23. of Octob: 1641. were seised or sequestred into the hands, or to the use of his late majesty King Charles the first, or of your most gracious majesty that now is, or otherwise disposed of, distributed, set out, or set apart, by reason of, or upon account of the late horrid rebellion or war, which began or broke out in this kingdom upon the 23. of Octob: 1641. or which were allotted, assigned, given, granted, ordered, distributed, disposed, demised, set out or set apart to or for any person or

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this Act

persons use or uses, for adventurers, arrears, reprisals, or otherwise, or
 4. whereof his late Majesty, or your majesty that now is, or any adventurer,
 sould, reprizable person or others respectively, had & received the rents,
 5. issues & profits by reason or upon account of the said rebellion or war, or
 wereof the adventurers, officers, or sould. now, or formerly of the English
 army in this kingdom, or transplanted, or transplantable persons, or any
 of them, or their or any of their heir, heirs or assigns, or any other person or
 persons whatsoever upon account of the said rebellion or war in this king-
 6. dom, were in seizin, possession or occupation by themselves, their tenants,
 agents or assigns on the 7. of May 1659. or which were assigned, given,
 granted, laid out, set apart or reserved for or towards the satisfaction of
 any the said adventurers, sould. or other persons, for or in consideration of
 any money or provisions advanced, lent or furnished: or for arrears of pay, or
 in compensation of any service or reputed services or other account what-
 7. soever: or reserved, or mentioned to be reserved, for or in order to a reprisal,
 or reprisals, for such incumbrances as then were, now are, or shalbe adjudg-
 8. ed due to any person or persons out of the said lands, tenem: or hereditam:
 or for any other use, intent or purpose whatsoever, or whereof any custodiam,
 lease for year, or years, or other disposition or grant whatsoever hath been
 9. made: or unto which your Royal father, or your Majesty are any ways in-
 titled by reason of, or upon account of the said rebellion or war, or which
 are wrongfully detained or concealed by any person or persons whatso-
 10. ver: As also all Chuntries, & all manors, lands, tenem. rents, tithes,
 pensions, portions, & other hereditam. or other things whatsoever, be-
 longing to any ecclesiastical person or persons in his or their politick ca-
 pacity, & that have formerly by them, or any of them been let in fee-farm,
 the right whereof, or title thereunto, or interest therein, was in any person
 or persons, his or their heirs or assigns, who by the qualifications in the
 11. said act expressed, have not been adjudged innocent persons: as also all lea-
 ses that have been made by any ecclesiastical persons of any lands, tenem.
 or hereditaments belonging to them in their politick capacity, to any
 person or persons, their execut. administrators or assigns, who by the
 qualifications in the said act expressed, have not been adjudged innocent
 persons: as also all impropriations or, appropriate tithes belonging to
 12. any person or persons, his or their heirs, execut. administrat. or assignes,
 who by the qualifications in the said act expressed, have not been adjudged
 innocent: & also all & singular the messuages, manors, lands, tenem:
 13. & hereditam: whatsoever, whereof John Fitz-gerald, alias Fitz-gerard
 of Innishmoore, commonly called the kt. of Kerry, Capt. Jo: Magill of the
 county of Down, Geoffrey Fanning of Ballingary, or any of them, or any
 of their ancestors whose heirs they are, or any other person or persons in
 trust for them, or any of them, or to their or any of their uses were seized
 or possessed upon the 22 of Octob: 1641. notwithstanding that the same
 were not seized, sequestered, or set apart upon the account of the said late
 rebellion or war, are & shalbe, & are hereby declared, deemed & adjudged, as
 from the said 23. of Octob: 1641. forfeited, & to have been forfeited to your
 Majesties Royal father of ever blessed memory, & your Majesty, your heirs
 & successors: & they are hereby from the said 23. of Oct: 1641. deemed, de-
 clared & adjudged to have been, & to be in the real & actual possession & seizin
 of your Majesties said Royal father, & your Majesty, your heirs & successors
 without any office or inquisition thereof found, or to be found, freed & ab-
 solutely discharged of & from all estates, taile, & of & from all feoffments, &
 other conveyances made before the 23. of Oct: 1641. by any person or per-
 sons being tenants in taile, where the intaile was not legally docked or
 barred by fine or recovery, before the 23. of Oct: 1641, & of & from all ti-
 tles & estates derived by, from, or under such conveyances, & also of & from
 all & singular remainders, reversiones, rights, titles, intrestes, services
 chiefries

ties, uses, trusts, conditions, fees, rent-charges, & chattels real, mortgages, rights of redemption of mortgages, recognizances, judgements, covenants, rights of action, rights of entry, statutes, & all other estates, challenges & demands of what nature or kind soever, to the intent that the same may be settled confirm: & disposed of to & for such use & uses as in & by the said former act were limited & declared, & are not by this present act changed or altered, & to & for such other use & uses as in & by this present act are declared or appointed, & not otherwise: Saving to your Majesty, your heirs & successors all & singular such estate, right title & interest, of, in, & unto any lands, tenements & hereditam. within this kingdom, which your Majesty hath or ought to have in right of your Crown in Ireland, other than by virtue of the aforesaid act, or this present act: & otherwise than by one or more inquisition or inquisitions of lands in the province of Connaught or counties of Limerick & Clare, & the county of Tipperary found & returned in the time of the Earl of Straffords governm. in this kingdom: which said inquisition & inquisitions, is & are hereby declared to have been from the time of the taking thereof absolutely null & void, to all intents & purposes, as if the same had never been had nor taken, & other than such right and title as in & by a certain act of parliament passed in England, intituled, an act of free & general pardon, indemnity & oblivion, are mentioned, or intended to be barred or extinguished, any thing in this act contained to the contrary notwithstanding. Provided alwayes, that this act or any thing therein contained, shall not be deemed, construed, or taken to forfeit unto, or vest in your Majesty, your heirs & successors any honours, manors, castles, houses, places, lands, tenem. hereditam. or chattel real whatsoever in all, every or any of the counties, baronies, cities, towns corporate & walled Towns in this kingdom on the 23. of Oct: 1641. belonging in possession, reversion or remainder unto the university of Dublin, or to any archbishop, bishop, dean, prebend, dean & chapter, or other ecclesiastical person or persons in his or in their politick capacity, or to any other college, hospital, church collegiate or parochial, or to the Church-wardens & parishioners of any parish church for the use of the said church: or to any guild, corporation or fraternity ecclesiastical or lay: or to any Parson, rector or vicar of any parish church, or to any other person or persons particularly named in the proviso contained in the vesting clause of the said former act, & whose estate was thereby expressly saved & excepted from being vested in your Majesty. Provided likewise, that this act, or any thing therein contained shall not vest, nor be understood or construed to vest in your Majesty, your heirs or succes: or otherwise be prejudicial unto, or take away any estate, right, title, interest, service, chiefly, use, trust, condition, fee, rent-charge, chattels real, mortgage, right of redemption of mortgage, recognizance, judgment, forfeiture, extent, right of action, right of entry, statute, or any other estate, of what nature or kind soever from any protestant or protestants, their protestant heirs, executors: adm: or assigns whereof upon the 22. of Oct: 1641. they were respectively seized or possessed, or otherwise interested or intituled, or wherein they had any other estate, use, possession, trust, reversion, or remaind. other than such estate & interest whereof they, or any of them stood seized or possessed for the use of, or in trust for any Irish papist or Roman catholic, who by the qualifications in the said act hath not been adjudged innocent or any other forfeiting person or persons: nor to any judgment, or decree which hath been obtained by any protestant or protestants in the late court, or pretended court for adjudication of claims, or in the court of exchequer, or any the four courts sitting at Dublin, before the 22. of Aug: 1663. or for which any judgment or decree hath been confirmed, had or made by the commissioners, heretofore appointed by his Majesty for the execution of his late gracious declaration.

No person
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ed innocent,
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May 1659.

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on instructions, or the aforesaid act; nor to the vesting any the lands, te-
nements, hereditaments or chattles real, right, title, service, chiefry, use,
trust, condition, fee, rent-charge, chattle real, mortgage, right of redem-
ption of mortgage, recogniz: judgm: forfeiture, extent, right of action,
right of entry: statute or any other estate of what nature or kind soever of
any papist, who by the commissioners appointed for the execution of the
aforesaid act, hath been adjudged innocent, or the heirs, execut: administ:
or assigns of any such papist, who hath been so adjudged innocent: & it is
hereby declared, that no person or persons who by the qualifications in the
said former act hath not been adjudged innocent, shall at any time hereaf-
ter be reputed innocent, so as to claim any lands or tenements hereby
vested, or be admitted to have any benefit or allowance of any future ad-
judications of innocence, or any benefit of articles whatsoever, but that
they & every of them & all & every person & persons claiming by, from or
under them, or any of them shall be & are hereby barred & excluded of, & from
all & singular claims & demands not particularly allowed & provided for
in & by this present act. & whereas some question or doubt hath arisen,
whether the lands of any officers or Sould: were to be confirmed to them
by the said act, unless they had been formerly & were of the army at the
time of the making your Majesties declaration of the 30 of Nov. 1660. be
it declared, enacted & explained by the authority aforesaid, that the word
[and] used in that part of the said act, which relates to them, shall be ta-
ken disjunctively, as if it had been [or] so that no such officer or sould: his
heirs, or assigns, shall be excluded the benefit of the said act, or this present
act, if he had been formerly of the army, & in possession as aforesaid, the 7.
of May 1659. though he were not of the army the 30. of Nov. 1660. or at a-
ny time since. & to the end that the persons, estates & interests of his Majes-
ties protestant subjects, of whom his Majestie ever had & still hath greatest
care & consideration in the settlement of this his kingdom, may be best
provided for: be it further enacted by the authority aforesaid, that all & e-
very the adventurers, & sould: their & every of their heirs, execut: administ: &
assigns, respectively, who upon the 7. of May 1659. were seized or posses-
sed of any messuages, manors, lands, tenements or hereditam: for or to-
wards the satisfaction of any adventures or arrears, which by the rules
of this or the said former act are allowed to be satisfied, & all & every other
the Adventurers commonly call'd deficient adventurers, whether they be
deficient in whole or in part (that is to say) such adventurers who never
had any lands set out to them in satisfaction of their adventures, or were
never fully satisfied for the same, & the heirs, executors, administrators &
assigns of such adventurers respectively shall have, hold, & enjoy, & be set-
led, & confirmed, in so much of the forfeited lands, which by this act are
vested in his Majestie, as will amount to 2. full third parts of what they
or those, under whom they claim, had, or in cases of deficiency ought to
have had upon the 7. of May 1659. in manner following, that is to say,
the Commissioners for execution of this act shall diligently examine &
compute, or cause to be computed, what quantity of land any such ad-
venturer or souldier, or the heirs, executors, administrators or assigns of
such adventurer or souldier respectively had, or were seized or possessed
of on the 7. of May 1659. or of right ought to have had & been seized &
possessed of upon the 7. of May 1659. in case he were a deficient adven-
turer, or the heir, executor, administrator, or assignee of any deficient ad-
venturer, & shall set out & allot, or cause to be set out & allotted unto
every such adventurer & Souldier his & their respective heirs, execu-
tors, administrators & assigns so much forfeited land as in quantity of
Irish profitable acres (to be computed by Irish measure, according
to the Down survey or Down admeasurements & not otherwise, where

where the Down Survey hath been taken, and where the Down Survey hath not been taken, by the Survey taken in the Earl of Straffords time, or by some other Survey to be taken according to Irish measure, wherein the unprofitable Land is to be cast in together with the profitable, (according to the method of the said Down Survey) will amount unto full two third parts (the whole in three parts being divided) of what such person or persons to whom such allotment shall be made as aforesaid, or those under whom they claim, did hold and enjoy, or in cases of deficiency of right ought to have held and enjoyed upon the seventh of May, One thousand six hundred fifty nine, which said two third parts so as aforesaid to be allotted, shall be held and enjoyed by the persons to whom such allotment shall be made, according to the tenor of their several and respective Letters Patents herein after directed to be granted, and in full satisfaction of any right, claim, or demand which by virtue of the said former Act, can or may accrete for or in respect of any Adventures or arrears, any retrenchment of a third part by this Act, or other matter or thing in the said former Act contained to the contrary notwithstanding. And in case any Adventurer or Soldier, Commissioned Officer, who served before the fifth of June, One thousand six hundred forty nine, Protestant Purchaser in Connaugh or Clare, before the first of September, One thousand six hundred sixty and three, his or their Heirs, Executors or Assigns shall be found to be in possession of any messuages, Lands, Tenements or hereditaments, which by virtue of any clause herein after following, ought to be restored and delivered up to any person or persons herein after named, the Commissioners for execution of this Act, shall in the first place, and before any such Restitution made, cause so much other forfeited or vested Land, to be set out as in quantitie of acres will amount to full two third parts of the Land so as aforesaid to be restored, and that the persons so to be removed be duly possessed of and settled in his said two third parts according to the rules of this Act; And the Commissioners for execution of this Act, are hereby required and enjoined to take care that the Estates and Interests of his Majesties Protestant Subjects in Ireland, be settled with all convenient speed, and that such parts of this Act, as have a tendency thereunto be put in execution in the first place, and before any other parts of this or the former Act which relate to other matters. And to the end there may be as little change and alteration of possessions as can consist with the ends and aimes of this present Act, And that every persons improvements may be preserved unto him, as much as is possible, Be it further enacted by the authority aforesaid, That where any adventurer or Soldier, or the heir, executor, assignee or assignes of any adventurer or Soldier shall be found to have in his or their possession, more Lands undecreed away than his or their full two third parts will amount to, according to the aforesaid rules of distribution and allotment, that in every such case it shall and may be lawful for him or them to continue possession, of so much as the Commissioners shall adjudge, his or their two full third parts to amount unto, and to cut off the overplus at his or their own election, in such manner as that the overplus relinquished or surrendered by him or them may be contiguous and as near as may be within the same denomination, in which retrenchment the unprofitable Lands as well as profitable are to be reckoned and parted with, together in like manner and proportion as the same were set out together, according to the said Surveys, and in default of due retrenchment, and cutting off the overplus in such manner

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thirds to be
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two thirds
as if posses-
sed thereof
the 7th. of
May 1659.

nee as the Commissioners shall approve, and within such time as the Commissioners shall direct, the Commissioners shall cause the ober-
plus to be set out, and ascertain the residue, whereof possession is to be
retained in such manner as they shall think fit, observing therein rules
of contiguity and conveniency as much as may be, and reserving to
him or them his or their house and the improvement about it, and the
like rule is to be observed in the retrenchment to be made of the ober-
plus of such Lands which have been set out in satisfaction of any ad-
venturers upon the Ordinances commonly called the doubling Ordi-
nances, and in the retrenchment which is to be made from the Prote-
stant purchasers in Connaught and Clare, and where any adventurer
or souldier, or the heir, executor, administrator, assignee or assignes of
any adventurer or souldier shall be found to be possessed of less Land
than his or their full two third parts will amount unto according to
the rules of this Act, that then and in such case it shall and may be
lawful for him or them to continue and retain the possession of what
he or they have, and that the residue of what is wanting to make up
his or their full two third parts as aforesaid, be forthwith set out and
made up out of some other forfeited Land to be allotted, set out and
ascertained by the Commissioners as aforesaid, and as near as may be
with convenience to the Lands in his or their present possession, any
thing in the former Act contained to the contrary notwithstanding.
And be it further enacted by the authority aforesaid, that all and every
the adventurers and souldiers, their heirs, executors, assignee or as-
signes, who upon the seventh day of May, one thousand six hundred fifty
and nine were or ought to have been possessed of any Lands, Tenements
or Hereditaments set out for satisfaction of any adventures or arrears
not since decreed away by such decrees as are herein confirmed, shall
and may, retain the Lands in his or their possession, or so much there-
of as by the Commissioners for execution of this Act shall be adjudged
to amount to his or their full two third parts, any mistake or Misno-
mer of the County or Barony wherein the Lands set out for adventures
or arrears and so possess do lie, to the contrary notwithstanding. And
it is likewise declared that the adventurers and souldiers, their heirs,
executors and assigns who have voluntarily relinquished or been remo-
ved from the Estate of James Duke of Ormond, and put into posses-
sion of any other Lands in the County of Catherlagh, not since decreed
away from them, and all others who have relinquished any Lands,
whereof they were possess the seventh day of May, One thousand six
hundred fifty and nine, in obedience to his Majesties Letters, and have
since been removed to other Lands not decreed away from them, shall
have like liberty of retaining the Lands whereof they are now possess,
or so much thereof as shall be adjudged to amount to his or their full
two third parts, as he or they might have had if they had been so posses-
sed upon the Seventh day of May, One thousand six hundred fifty &
nine, & what is wanting of two third parts shall be made up and sup-
plied by the Commissioners out of some other forfeited Lands by them
to be allotted. And be it further Enacted by the Authority aforesaid,
that all and every the deficient Adventurers, and the Heirs, Execu-
tors, assignee or assignes of such deficient Adventurers who are to
be satisfied for two full third parts of such their deficiencies in quan-
tity of Acres to be set out and allotted as aforesaid, And all and
every other the adventurers, Souldiers, Protestant Purchasers
in Connaught and Clare, their Heirs, Executors, administrators
and Assigns respectively, to whom any Lands, Tenements

or Hereditaments, are by the rules of this Act to be set out & allotted for the supply & making up of his & their full two third parts, shall be satisfied in the same Barony and County, or in the next Barony and County neerest in value to their respective deficiencies and allotments, if the same can conveniently be done. And in order hereunto the Lord Lieutenant, or other chief Governour and Governours and Council for the time being, are hereby enjoined to settle and declare the severall degrees of values of the respective Counties and Baronies; which declaration shall be a rule and guide to the Commissioners in execution of any part of this Act, where the considerations of values shall be necessary or material; And where any adventurer, his heirs, Executors, Assigns or Assignes shall be found to be deficient in part, and yet to have more Lands in one particular Barony or County than his or their lot in that particular Barony or County would have amounted to, it shall and may be lawful to and for him or them, to retain & keep in his or their own possession so much of the overplus whereof he or they shall be possessed in one Barony or County, as shall be judged equal by the Commissioners, for and towards the satisfaction of his and their deficiency in any other Barony or County; so always that the whole which he or they shall so retain, exceed not the due proportion of full two third parts which he or they ought to have, according to the rules aforesaid. And where any adventurer or Souldier, or the Heirs, Executors, Administrators or Assigns of any Adventurer or Souldier, shall be found to have more Lands in his or their possession, than will satisfy the two third parts, which he or they ought to have by the rules of this Act, and yet shall have no deficiencies of their own to place upon such overplus, that there and in such cases it shall and may be lawful to and for such Adventurer and Souldier, his and their Heirs, Executors, administrators or Assigns, to buy in and purchase of any other Adventurer or Souldier, or the heir, Executor, administrator or Assignee of any Adventurer or Souldier, his or their right and title in and to the satisfaction of any deficiencies within the same Province, which are satisfiable by the rules of this Act, and to be satisfied for the right and title so bought and purchased as aforesaid, by retaining the overplus Land whereof he or they were seized, or so much thereof as shall not exceed the due proportion of two full third parts which ought to be applied to the Satisfaction of such deficiencies.

And be it further enacted by the authority aforesaid, That where any Adventurers or Souldiers, Commissioned officers, who served before the fifth of June, One thousand six hundred forty nine, Protestant Purchaser in Connaught, or Clare, before the first of September One thousand six hundred sixty and three, his or their Heirs, Executors, Assigns or Assignes, who are not by the rules of this Act to be removed, have been already removed or kept out from the possession of what they held, or ought to have held on the seventh of May, One thousand six hundred fifty and nine; yet neither by virtue of any Decrees made by the Commissioners for execution of the said former Act, nor by virtue of any proviso or Clause in the said Act contained, or any other legal proceedings; in which words Legal Proceedings, Custodians, or any other Grant or Patent not confirmed, or otherwise provided for by this Act, and the proceedings thereupon are not intended to be comprehended, that then it shall & may be lawful to & for the Commissioners for Execution of this Act, to order and decree all and every such person and persons so removed or kept out as aforesaid, to be again

deficient and
adventurers
to be satisfi-
ed in the
same Barony
and County,
or the neer-
est in value.

where the
adventurer
is deficient
in one
Barony, and
more in an-
other Ba-
rony or
County than
his lot.

where ad-
venturers or
Souldiers
are kept
out of pos-
session to be
restored pro
tempore

restored and put into their possessions pro tempore, until the last and final Decree touching the settlement of such person and persons shall be made, and the respective Sheriffs and all other Officers and Ministers of Justice whom it may concern, and to whom any Precept or other Warrant in that behalf shall be directed, are hereby required and enjoined, to see the same executed accordingly, to the end that all every person and persons so as aforesaid removed or kept out, may by such temporary restitution be enabled to retain so much of the Land whereof they shall be so possessed, together with their improvements, as their two full third parts, according to the aforesaid rules shall or may amount unto.

adventurers for no more than the principal money bona fide advanced
And be it further Enacted by the authority aforesaid, That all and every the Adventurer and adventurers who adventured their money upon certain Ordinances, or pretended Ordinances of Parliament made in the years, One thousand six hundred forty three, and One thousand six hundred forty seven, commonly called the Doubling Ordinances, shall be esteemed, and are hereby declared adventurers for no more than the principal money bona fide paid amounts to, and that they, their Heirs, Executors, Assignee or Assignes, shall receive satisfaction for the monyes really and bona fide paid in and advanced upon the said Ordinances, or pretended Ordinances, in like proportion and manner as other Adventurers are to have by this Act, and no otherwise: that is to say, by an allotment of so much land as may be sufficient to satisfie full two third parts of the principal money so paid in and advanced as aforesaid, and no more, to the intent that he and they may be equally gainers or losers with other adventurers: and in the setting out of this proportionable satisfaction, no regard is to be had of the quantity of Land, whereof the Adventurers upon the Doubling Ordinances, their Heirs, Executors, Assignee or Assignes were possessed the seventh of May, One thousand six hundred fifty nine, but onely of the original money truly paid in as aforesaid: in the satisfaction whereof, one third part is likewise to be retrenched, and onely two full third parts to be satisfied as aforesaid: Nevertheless, it shall and may be lawfull for him or them to continue the possession of so much as the Commissioners shall adjudge to amount unto his or their full two third parts, in like manner as other Adventurers by this Act are enabled to do, in case so much shall be left in his or their possession, not decreed away by the Commissioners for execution of the said former Act.

Books to be made of
Books allotted them.
And be it further Enacted by the authority aforesaid, That the Commissioners for execution of this Act, shall cause one or more books to be made, wherein the portion allotted to each Adventurer or Soldier, or the Heir, Executor, Assignee or Assignes of such adventurer or Soldier, for and towards his and their two full third parts, and the several augmentations of any Archbishoprick or Bishoprick, the allotment of Gleabs, and the provisions made for the Colledge of Dublin, the maintenance of the Fort at Duncannon, and the Corporation of Wandonbridge, shall be particularly and fairly set down, and entered, and shall cause a Duplicate thereof to be made and returned into the Exchequer, there to remaine of Record, and that upon a Certificate under the hands and seals of the Commissioners, or the Major part of them, containing the lands allotted to any the persons or purposes aforesaid, or to any Adventurer or Soldier, or to the Heir, Executor, Assignee or Assignes of any Adventurer or Soldier, for his or their two third parts, and expressing the name or names of such persons with convenient descriptions and denominations thereof, as to the

Patents to pass upon certificates without further warrant from His Majesty.

the number of Acres, the Barony, County and Province wherein the same do lie, and the rents reservable, as also the tenure and Services, and presented unto the Lord Lieutenant or other chief Governour or Governours of this Kingdom for the time being, he the said Lord Lieutenant, and other chief Governour or Governours of this Kingdom for the time being, shall be, and are hereby authorized and required, upon request of the person or persons so producing and presenting the Certificate aforesaid, to cause effectual Letters Patents under the Great Seal of Ireland, to be passed in the usual manner of such Lands, Tenements and Hereditaments to the persons concerned, by advice of his Majesties learned Council in the Law, or some of them, as the case shall require, without expecting any further Letters or Warrants from his Majesty: And for so doing, this present Act shall be to them and every of them their sufficient discharge.

And be it further enacted by the authority aforesaid, That all Letters Patents granted by virtue of this Act, shall be, and are hereby confirmed unto the several persons therein named, according to the several and respective estates therein granted against the Kings Majesty, his heirs and Successors, and all other persons claiming by, from or under him or them, and shall stand and be discharged of and from all forfeitures, or pretended forfeitures, for non-payment of rent, or any sum of money now due, or not putting in of Claims, or not bringing in field-books or Surveys, and of and from all further inquiries into false admeasurements, holding of lands profitable for unprofitable, or any other Qualifications whatsoever, and of and from all Arsen profits, arrears and incumbrances not herein after excepted, and shall stand and be good against all persons, Bodies Politick and Corporate, and discharged of all Estates tail, and all other Estates of Franchold, or Inheritance, and all Reversions, Remainders, Titles and Interests whatsoever, not Decreed by the Commissioners for execution of the said former Act, or in the said former Act already allowed, whereby the Patentees can or may be incumbred and discharged of all demands, other than what are intended to be preserved by this Act, and shall be referred in the same Letters Patents: Nevertheless it is hereby declared to be excepted, & is further Enacted, that no Letters Patents hereafter to be granted, shall any way extend to discharge or acquit any arrears of Quit-rents reserved by the said former Act, & still behind and unpaid; nor to acquit that part and proportion of the 300000. pounds herein hereafter mentioned, and intended to be raised, and which by the rules of this Act will be payable by such Patentee, and leviable upon the Lands in the said Letters Patents contained, nor any Arsen profits, which have been received of Lands set out for English arrears, or in satisfaction of any adventures upon the Doubling Ordinances, above what the Original money did deserve, or in satisfaction of any other Titles or Interests not satisfiable by this or the said former Act; nor to discharge any sum or sums of money which persons transplanted into Connaught, received upon sale of their estates in Connaught, and yet have since been restored to their former estates, or some part thereof, by virtue of some Clause in the said former Act contained, or some Decree or other proceedings had upon the said Act, or shall be restored by virtue of any Clause contained in these presents, all which arrears of Quit-rents, Arsen profits, or other sums of money as aforesaid, shall be, and are hereby made due and payable unto his Majesty, his heirs and Successors, and shall be leviable and recoverable against every person and persons who shall be liable thereunto, his

Patents confirmed against the Kings Majesty.

Against all persons bodies politicks &c.

Except 1.

2.

and their heirs, Executors and Administrators, and all and every their Lands, Tenements, Goods and Chattels whatsoever, Any Grant, Patent, Settlement or other Disposition made in pursuance of this Act to the contrary notwithstanding.

Letters Pa-
rents to pass
within six
months af-
ter certifi-
cate.

And for the prevention of all unnecessary delays and unjust charges which can or may happen to the Subjects of this Realm before their full and final settlement, Be it further Enacted by the authority aforesaid, That where the Commissioners for execution of this Act, or the major part of them, shall give any Certificate under his and their hands and seals to any person or persons, Bodies Politick or Corporate, in order to the passing of any Letters Patents according to this Act, and shall likewise return a Duplicate of such Certificate into his Majesties Court of Exchequer at Dublin, to be thereinrolled and the person or persons, Body Politick or Corporate, to whom such Certificate, shall be given, shall immediately upon the obtaining of such Certificate, and from time to time during the space of 6. months next ensuing the date thereof, Diligently & without intermission pursue and prosecute the having and obtaining of letters Patents accordingly, and in order thereunto shall pay or tender to such person or persons to whom they shall apply themselves for their assistance towards the passing of such Letters Patents, their several and respective fees to them due and payable, and shall not obtain such expedition and dispatch, that their several and respective Letters Patents may be full perfected and passed under the great Seal of Ireland, within the space of 6. months next after the date of such Certificate, but shall be thereof delayed or hindered by the neglect of any Officers or Ministers as aforesaid, that there and in such case the several and respective persons, Bodies politick and corporate to whom or in whose behalf such Certificate shall be given or granted, shall hold and enjoy the several Messuages, manors, Lands, tenements and hereditaments, in the several and respective Certificates mentioned and allotted according to such estate, and under such rents as are therein mentioned, as fully and amply to all intents and purposes, as if Letters Patents thereof had been granted and perfected, according to the directions of this Act, Any thing in this or the said former act and any other Law, Statute or usage to the contrary notwithstanding.

where lands
have been
set out pro-
miscuously
for several
adventurers

Provided always, and be it Enacted, That where any Soldier or Soldiers, adventurer or adventurers, his or their heirs, Executors, assignee or assignees, have had any Lands, Tenements or hereditaments formerly set out to him or them, as well in satisfaction of arrears due for service done in England, as of arrears due for service done in Ireland, or in satisfaction of adventures upon the doubling Ordinances, or in satisfaction of any other titles and interests not provided for by this Act, together with other Adventurers, and such setting forth of lands hath been promiscuously and indefinitely as in the gross, without any particular application or distinction of the lands, shewing which part of the said lands was intended as a satisfaction of the English arrears, and which part as a satisfaction of the Irish arrears, or which part was set out in satisfaction of adventures upon the doubling Ordinances, or of other titles or interests not provided for by this Act, and which part for other adventures, and the whole or part of the said Lands so promiscuously set out as aforesaid, hath been evicted or decreed away by virtue of some proceedings of the Commissioners appointed for execution of the said former Act, that then and in such case the Land so evicted or decreed as aforesaid, shall be

be accounted in Law to be such lands onely as were intended for the satisfaction of English arrears or adventures upon the Doubling or nances, or of other titles and interests not provided for by this Act, so far as the same will extend, and all accompts and payments of the Measur profits of the Lands so edicted, are to cease for so much from the time of such ediction or Decree as aforesaid: Nevertheless it is declared, That nothing herein contained, shall exclude such person or persons from having their full two third parts which are satisfiable by the rules of this Act; and from retaining so much whereof they remain possessed for and towards such satisfaction.

And to the end the Subjects of this Kingdom may be in some measure eased of those charges which are usual and ordinary in passing of Letters Patents, Be it further Enacted by the Authority aforesaid, that it shall and may be lawful to and for so many of his Majesties Subjects as shall desire the same, to be joyned in one and the same Letters Patents, the due cautions before mentioned being therein observed, so as the Lands thereby granted in case of such being joyned, exceed not the quantity of fifteen thousand acres English measure in one Patent; nevertheless it shall and may be lawful to and for the Lord Lieutenant, or other chief Governour or Governours of Ireland, and Council there for the time being, in these and all other cases touching Patents to be granted by virtue of this Act, to regulate and moderate the Fees of Officers as they shall think fit, according to circumstances.

And be it further Enacted by the Authority aforesaid, That where any Lands shall be allotted unto, or detained by any adventurer or souldier, or the heir, executor, assignee or assignes of any adventurer or souldier, for & towards his & their full two third, parts or for any part thereof, which lands so allotted or detained as aforesaid, shall be subject to any estate, remainder or other incumbrance already decreed by the Commissioners for execution of the said former Act, or allowed by the rules of the said former or this Act, That then and in such case, the Commissioners for execution of this present Act, shall allot so much other forfeited land, as may fully satisfy for such incumbrance, and cause the same to be entred in Books returned into the Exchequer: To the end, that upon Certificates made in manner aforesaid, Letters Patents may be thereof granted and passed as aforesaid: And therefore the Commissioners are with all speed to call up the value of such incumbrances, as by reason of any former Decree shall charge any part of the said two third parts, that so a recompence may be provided as aforesaid: And in the estimate and valuation of such incumbrances for which a recompence is to be provided, the Commissioners are to proceed by such rules and measures, as by the instructions in the said former Act contained, were given for the valuation and estimate of such incumbrances on the lands of adventurers and souldiers as were therein appointed to be satisfied out of the forfeited lands in the County of Kildare, as near as may be, and as far as may stand with equity and justice.

And it is further declared and enacted, That where any securities for money have been allowed by the Decrees of the Commissioners for execution of the said former Act, wherewith any land set out and allotted, or to be set out and allotted to any adventurer or souldier, his or their heirs or assigns shall or may be incumbered, that all interest thereupon due before the 29. of May, 1660. shall be and is hereby discharged: Nevertheless, the interest already received shall not be repaid

40. shillings
per cent. af-
ter that full
Interest,

Possession
the 7th. of
May 1659.
sufficient
title.

Except.
1.

In what ca-
ses a new
survey is to
be granted

paid, and from and after the 29. of May, 1660. unto the times of the feveral and respective Decrees, no further or greater interest shall be satisfied or paid for any the moneys due upon the said security, than after the rate of 40. shillings per cent. for one year; And from and after the time of the respective Decrees, full interest shall be satisfied and paid; and further, that lands shall be set out in full satisfaction of what shall remain due, after such abatement made as aforesaid, according to the rate of 8. years purchase, to such person or persons as shall be prejudiced by such incumbrances, by having his land liable thereunto, or by his purchasing and buying in of the same, and that no part of the land so allotted or detained as aforesaid may be subject to, or charged with any other incumbrance not decreed by the Commissioners for execution of the said former Act, or already allowed in the said former Act or this Act, Be it Enacted, That all and every such incumbrances as against the adventurer or souldier so settled as aforesaid, other than such incumbrances as are the proper act of the party so to be settled, or those under whom he claims be utterly void, and of none effect. And to the end that no person or persons who upon the 7. of May, 1659. was in possession of any lands, tenements or hereditaments, as an adventurer or souldier, or as the heir, executor or assignee of such adventurer or souldier, may hereafter be molested or impeached in the making out of his or their title in or to the lands so possessed or debarred of such satisfaction, and other the benefits and advantages which by this Act is given to them, who were so possessed as aforesaid, for want of producing such Healin Conveyances, or such legal and formal assignments as in strictness of Law might otherwise be required, Be it Enacted by the authority aforesaid, That where any person or persons, or those under whom he or they claim, were in possession of any lands or tenements upon the 7. of May, 1659. which were set out, or reputed to be held and enjoyed for and towards the satisfaction of any adventures or arrears, that there and in such cases no proof of the Healin conveyances or other assignments shall be required, but the possession it self shall be; and so is hereby declared a sufficient evidence of the title, unless the same lands have been likewise claimed by some other adventurer or souldier, his or their heirs, executors, administrators or assigns respectively: In which case the Commissioners for execution of this Act, shall upon such evidence as can be produced before them, determine the title: And because there are several persons who pretend themselves able to discover much Land, which is detained and concealed by the adventurers and souldiers, their heirs or assigns by false admeasurement, although it be probable that after so long a tract of time, such discoveries may not produce any great effect: Nevertheless, for the avoiding the scandal of such frauds, and to give just satisfaction to all persons and interests, who may pretend themselves to be prejudiced by such concealments, Be it Enacted by the authority aforesaid, That the Lord Lieutenant, or other chief Governor and Governors of Ireland, and Council there for the time being, shall have power upon information to them made of any such concealments by false admeasurement as aforesaid, to cause a new survey to be made of the parcels & lots wherein such false admeasurement is pretended and observing therein these rules and cautions following;

1. That such information be given in within the space of 3. months next after the passing of this Act.

2. that the Defendant or Defendants against whom such information is given, be first heard, before any new survey be ordered.

3. that

3. That the Informer or Informers do first put in security by Recognizance acknowledged before the Lord Chief Justice of the Common Pleas for the time being, and with good and sufficient Sureties to be by him allotted, to bear the whole charges of the new Survey, and over and above to pay and satisfy unto the Defendant or Defendants his or their full Damages and Costs which they shall sustain by such prosecution, and shall offer to make Oath of before the said Lord Chief Justice, in case that upon the return of such Survey, it shall not appear that the Defendant or Defendants against whom such new Survey is ordered, were possessed of more land by a full tenth part than he or they ought to have.

4. Where any new Survey is ordered, the same shall be taken by two Surveyors to be chosen for that purpose, one by the Informer, the other by the Defendants, and both Surveyors shall be sworn,

5. Where the Books of Distribution and the Down Survey agree in the satisfactions, which have been allotted to any Regiments, Troops Societies or persons, or do not differ more than in one tenth, there no resurvey shall be ordered, notwithstanding such information.

6. What overplus soever shall appear upon the new Survey, if the same exceed not one tenth part of what is due to the Defendant or Defendants, no Retrenchment shall be made.

7. If the overplus exceed a tenth, it shall be lawful to and for such Defendant or Defendants possessed of the overplus, to retrench the same where they think fit, so as such Retrenchments be contiguous, and of unprofitable land, together with the profitable, but is hereby discharged of all accompts for the Measur profits of the Lands so Retrenched.

8. If the information of false admeasurement be against a Soldier, or his Heirs or assigns, there the lot of the whole Regiment, Troop or Company shall be first surveyed, and if the same exceed not one tenth part of what such Regiment, Troop or company ought to have, then no Survey shall be taken of any individual lot or proportion.

9. Where the lot of the Regiment, Troop or Company shall exceed one tenth part of what they ought to have, there the individual parcel to be admeasured, if there be cause of Retrenchment may retrench where he thinks fit, so as such retrenchment be contiguous.

10. Whereas some lots for satisfying the Army fell in a good and bad County or Barony, such as Kerry and Limerick, and Dowhallow and Orrery, and whereas the Soldiers before they came to a particular Dividend of their general lot, did mutually consent, that when a lot should fall in a bad County or Barony, the persons to whom it there fell, should have more acres and when it fell in a good County they should have less acres, or that the acres in the bad County should have a less rate or value set on them, And the acres in the good County a greater rate or value should be set on them, It is therefore declared that no over plus of acres in the bad County shall be considered as such an overplus as is liable to retrenchment, but with a due respect to such mutual agreements as were made in the general lot of the Regiment, Troop, Company or Society before the persons concerned in it came to a subdivision,

11. No Defendant or Defendants whose lots are not to be found within the books of distribution, books of debentures, or books of Grocers-Hall, shall be liable to any new Survey or readmeasurement, his evidences being lost.

Twelfthly and lastly, all proceedings in order to a new survey or readmeasurement which shall not be finished and perfected within nine months next after passing this Act shall cease and be void, and the defendant to be discharged of all such inquiries for concealments upon such informations.

Directions
as to
incumbrances
on Lands

And for the further directions of the Commissioners for execution of this Act in their proceedings touching incumbrances, It is hereby declared, that where the estate in any messuages, lands, tenements or hereditaments recovered by any Irish Claimant by virtue of any decree herein confirmed is no other nor greater than for the life of such Claimant only, there and in such case the Commissioners for execution of this Act, shall give the person or persons against whom such decree hath been made, or those who claim under them his and their election, whether they will accept the reversion in fee of the Lands so incumbered with an estate for life expectant, upon the determination of the said estate, in lieu of their two third parts for the same, or will rather chuse to have their full two third parts set out and allotted to them presently, out of some other forfeited Lands, And the Commissioners shall give them Certificates in order to their passing of Letters Patents either of the reversion of the whole or of two third parts in possession, according as such election shall be made. And where the estate in any messuages, lands, tenements or hereditaments recovered by any Irish Claimant by virtue of any decree herein confirmed, is such an estate in remainder or reversion as will leave unto the person or persons against whom such decree hath been made an estate for the life of some other person onely: The Commissioners for execution of this Act, shall likewise give the person or persons against whom such decree hath been made, or those who claim under them, his or their election, whether they will chuse to continue the possession of the whole Land during the life of such person, and accept the estate for life in the whole Land in satisfaction of one of the third parts, which would otherwise be due by the rules of this Act, and demand no further allotment of any other forfeited Land, than what shall be equal in quantity of acres to one third part only, or whether they would rather desire to have their two full third parts to be set out and allotted presently out of some other forfeited Lands, and to relinquish the possession of that estate which they hold for life, And the Commissioners are to proceed to give Certificates in order to Letters Patents, according to the consequence and event of such election.

Augmenta-
tions for
Bishopricks
and of for-
feited free-
farm Lands

And be it further enacted by the authority aforesaid, that the Commissioners for execution of this Act, do forthwith and with all convenient speed set out and allot, or cause to be set out and allotted unto the Archbishops and Bishops in the said former Act in that behalf named respectively, and to their and every of their respective successors for ever, such augmentations and allowances, and out of such Lands as were formerly held, or reputed to be held in fee farm of any Archbishop, Bishop, Dean, Dean and Chapter, or other Ecclesiastical person in his or their politick capacity under the reservation of any chiefry, rent or other duty or service, and in such way and manner as by the said former Act is directed and appointed: Provided always, and be it enacted, that where any manors, lands or tenements not lying within the security set apart for the satisfaction of the Commissioned Officers who served in Ireland, before the 5. of June 1649. nor by the said former Act or this present Act otherwise disposed to any particular person or persons, have been given and granted to any such Arch-
bishop,

bishop or Bishop and his and their Successors by virtue of of any Letters Patents under the Great Seal of Ireland bearing date since the passing of the said former Act for or towards his and their respective Augmentations and allowances, that then and in such cases the Commissioners for Execution of this Act, shall Cause the Lands so Granted as aforesaid to be Surveyed and Valued, and If upon the Return of such Survey, it shall appear that the lands so granted as aforesaid, do not exceed the value of such augmentations and allowances as by the said former Act were intended to be settled upon the respective Archbishops and Bishops to whom such Letters Patents were granted, then the lands so granted as aforesaid shall be held and enjoyed by the several and respective Archbishops, Bishops, and their successors, according to the tenor of their respective Letters Patents: And that the said Letters Patents shall be of like force and effect as any other Letters Patents granted to Adventurers or Souldiers, by virtue of this Act are or ought to be: but if the Lands so granted as aforesaid, shall exceed the value of such augmentation, as by the said former Act was intended to be settled on the Archbishop or Bishop to whom the said Lands were granted, then the Commissioners for execution of this Act shall cause such Retrenchment of the overplus to be made, as may leave unto the respective Archbishops and Bishops his and their due Augmentations and Allowances, with as much conveniency and contiguity as may be, and the Lands and Tenements so left unto the said Archbishops and Bishops, shall be held and enjoyed by them and their Successors respectively, as fully and amply as the same might have been enjoyed, in case the Lands granted by the said Letters Patents had not exceeded the value intended by the said former Act, & the said Letters Patents, as to so much of the Lands therein contained, which shall be retrenched by the Commissioners as aforesaid, are hereby declared to be null and void, and the Lands so retrenched, shall remain and be vested in His Majesty to the uses of this present Act: and if the Lands so granted as aforesaid, shall fall short of the value of such Augmentations as in and by the said former Act was intended to be settled, the Commissioners for execution of this Act shall cause the same to be supplied and made up by a further allotment out of such Lands, and in such way and manner as by the said former Act was directed.

And it is further Enacted, That, in lieu of such provision for glebes as by the said former Act, was intended, the said Commissioners shall ^{Proviso,} likewise set out so many Acres of Land more, as may be sufficient to ^{for Glebs} endow or supply all & every the Parochial Churches in this Kingdome with ten acres of Glebe at the least (except such Parochial Churches as are endowed with the like, or a greater quantity of Glebe already) and that the same be so allotted, as may be most contiguous and convenient to and for the several and respective Parish Churches hereby intended to be endowed, in which provision Parishes united, or to be united by virtue of an Act intituled An Act for real union and division of Parishes, and concerning Free-Schools and exchanges, are to be understood but as one Parish, and Parishes within great Cities and walled Towns are not at all intended to be comprehended, and the like care both for contiguity and conveniency is to be had in the setting out of the Augmentations of the several Archbishopricks and Bishopricks not already provided for as aforesaid, as far as may be, without the too great prejudice of the present Possessor who is to be removed, and after the lands set out for the several Augmentations and Glebes as

aforesaid, the Commissioners shall certifie their proceedings to the Lord Lieutenant, or other cheif Governour and Council for the time being: And in case the proceedings of the Commissioners shall be there approved and allowed, then the lands set out for Augmentations and Glebes as aforesaid, shall be, and are hereby vested and settled respectively in the severall and respective Archbishops and Bishops and Incumbents of Parochial Churches, and their Successors for ever, and Letters Patents thereof are to be passed to them and their respective Successors, in like manner as is directed in the cases of Adventurers and Souldiers, and to be of like effect, subject nevertheless to the Quit-Rents hereafter mentioned, and no other.

Forfeited
fee farms &
impropriations
after
seizure, shall
of augmentations
subject to the
uses of the
former act,

And to the end the Revenues of the Church may be more speedily settled, Be it further enacted by the authority aforesaid, That the Lands held, or reputed to be held in Fee Farm of any Archbishop or Bishop, Dean, Dean and Chapter, or other Ecclesiastical person in his or their Politick capacity, and by this Act vested in his Majestie, and the severall Impropriations forfeited to, and by these Presents vested in his Majestie, shall be permitted to remaine and continue in the possession of the severall Archbishops, Bishops and other Incumbents, until the severall and respective Augmentations, Endowments and Glebes set out & satisfied as aforesaid, and from and after the Augmentations satisfied, the residue of the lands held in Fee Farm as aforesaid shall remain subject to the uses of the former Act, not changed by this Act, and to such other uses as in this Act are limited & appointed: And all & every the Impropriations or appropriat Tythes vested in his Majestie by these Presents or otherwise escheated to his Majestie in Right of his Crown, & by the said former Act vested & settled in the present and future incumbents and their Successors, shall likewise remaine and be vested in the present and future Incumbents and their Successors, Subject nevertheless to such reservations, provisos, conditions, exceptions and other limitations, Authorities and dispositions as by the said former Act the same were made Subject unto, so alwayes that all & every the matters and things which by the former Act were limited and appointed to be done within the space of two years from and after the passing of the said Act, be likewise done within the space of two years from and after the passing of this present Act.

All leases
or grants
of Waste
augmentations
more then
for 21. years
and less
then the
moiety of
the improp-
riated rents
referred,
hoyd.

And be it further enacted by the authority aforesaid, that all gifts, grants, feoffments, fines and other conveyances hereafter to be made by any Archbishop or Bishop of any manors, lands, tenements or hereditaments which by virtue of or in pursuance of this or the said former Act, intituled, An Act for the better Execution of his Majesties gracious Declaration for the Settlement of his Kingdom of Ireland, and satisfaction of the severall interests of adventurers Souldiers and other his Subjects there, have already been or hereafter shall be granted unto or settled upon any Archbishop or Bishop and his Successors, as an augmentation of the revenue of such Archbishoprick or Bishoprick respectively, other than for the term of 21. years or three lives from such time as any such lease, grant or assurance shall begin, And whereupon the full moiety of the yearly value and improbed rent, as the same are now worth to be let, shall be reserved and payable during the said term of 21. years, shall be utterly void and of none effect to all intents and purposes: This Act or any other Act, law, custom or usage to the contrary notwithstanding.

300 l. per
annum for
the probest
of Trinity
Colledg,

And the Commissioners for execution of this Act shall likewise set out, or cause to be set out, so many more acres of profitable land as may be of the yearly value of 300. pounds per ann. or may be sufficient to an-
swer

And secure a yearly rent-charge of 300. pounds per ann. to be issuing out of the same, to the intent the same may be a perpetual revenue for the support and maintenance of the Provost of Trinity College near Dublin, and his successors; and be settled upon the said Provost of Dublin and his successors, in such way and in such manner as the Lord Lieutenant or other chief Governour or Governours of Ireland and Council for the time being shall direct: And the Commissioners shall likewise set out or cause to be set out so many more acres of profitable Lands, as may be of the yearly value of 300. pounds, or may be sufficient to answer and secure a yearly rent-charge of 300. pounds per annum, to be issuing out of the same, to the intent the same may be a perpetual revenue for and towards the support and maintenance of the fort at Duncannon, and be settled for that purpose in such way and manner as the Lord Lieutenant or other chief Governour or Governours and Council for the time being shall direct; and in the setting out of the said Lands the commissioners shall not be obliged to proceed by any rules of contiguity, but onely to take care that the value intended be secured: And the Commissioners shall likewise set out or cause to be set out so many acres more of profitable Lands as may be of the yearly value of 100. pound per annum, or may be sufficient to answer and secure a yearly rent-charge of 100. pounds per annum, to be issuing out of the same to the intent the same may be a perpetual revenue for the Corporation of Wandon Bridge, and their Successors, and be granted to them by Letters Patents in such manner as other Letters Patents are herein after directed: Nevertheless if any Lands have been already set out for that purpose, the Commissioners are to cause the same to be valued and to retrench so much thereof as shall exceed the value of 100. pounds per annum, And if the whole fall short of that value to cause the same to be supplied by further allotments as aforesaid.

And be it further enacted by the Authority aforesaid, That the Protestant Commissioned Officers who were in Regiments, Troops or Companies raised in Ireland, or transported out of England and served His Majesty or his Royal father before the 5th. day of June 1649. and are not excluded by the said former Act, & all others mentioned intended by the said former Act to be satisfied equally and together with the said Commissioned Officers out of the same security, who received no Lands or money for their pay due unto them for their said service, their Heirs, Executors, Assignee, or Assignes, and also John Bartlet, and the Heirs of Thomas Bartlet, their Heirs and Assignes shall hold and enjoy and be continued and confirmed in all and singular the Messuages, Mannors, Land, Tenements and Hereditaments not already decreed away by the Commissioners for Execution of the said former Act, and in the benefit arising from the redemption of Mortgages, Statutes and judgements, and in all other the benefits and advantages whatsoever arising or accruing unto them by any Clause in the said former Act contained, other than the years rent, & the year & halfe rent therein mentioned, which rents are herein after otherwise satisfied & discharged.

And it is hereby Explained, Declared and Enacted, that these words, The benefits arising from the Redemption of Mortgages, Statutes of Staple, and Judgements, where the lands are not already disposed of to Adventurers or Souldiers, shall be understood and expounded, and so are hereby adjudged to be meant and intended of all benefits of that nature, which on the two and twentieth of October, One thousand six hundred forty and one, or at any time since were belonging to any

A n n u u u u

I r i s h

With Papist or Roman Catholick not already declared innocent by the Commissioners for Execution of the said former Act, although the lands were not actually sequestred (saving and reserving as herein after is saved and reserved) & that the Commissioners for execution of this Act, shall cause all and every their securities for satisfaction of such arrears arising by the said former Act, or this present Act, to be equally divided and distributed amongst all and every the said Commissioned Officers, and other the persons aforesaid, and the Heirs, Executors, Assignee or Assignes of such Commissioned Officers, and other the persons aforesaid, according to the proportion of their respective arrears stated, or appointed to be stated by this Act: And therein care is principally to be taken, that such Officers who served before the fifth of June 1649. and have yet had no satisfaction for their service in land or money, their Heirs Executors, Assignee or Assignes, may be satisfied in the first place after the rate of Twelve shillings 6. pence in the pound, if the same will so far extend: And if there shall be found any surplus, then the same shall be equally distributed amongst all the Officers who served before the 5. of June, 1649 and have any arrears due to them, as well those who have formerly had satisfaction in part, as those who have yet had no satisfaction, and amongst the respective Heirs, Executors and Assigns of such Officers: And that all and every the respective securities herein before mentioned, shall be forthwith put out of charge without any fees to be therefore paid in order to the distribution aforesaid & untill such distribution made shall be managed for the benefit of the persons herein concerned by such persons as in the said former Act is directed: And in case any lands or houses within any of the securities aforesaid, shall by any particular Clause in this Act be disposed unto, or settled upon any person or persons not being a Commissioned Officer as aforesaid, nor having the same in satisfaction of arrears due for service before the fifth of June, 1649. or by way of confirmation of some Clause in the former Act, The Commissioners for execution of this Act shall set apart so much other forfeited land, as may be sufficient to reprice the said Commissioned Officers for such loss and damage as they shall sustain by such Clause, that so the said securities may remaine and continue to and for the benefit of all persons therein concerned, as full and ample as the same would have been by virtue of this Act, if such particular Clauses or Dispositions had never been had nor made: And the commissioners shall cause the distribution of lands and houses within the security of the said officers to be fairly entred in books, as is before directed in the Settlement of Adventurers and Souldiers, to the end that such persons who shall be settled in any of the respective securities, may be enabled to demand Letters Patents of the houses, Lands and Tenements, Rights of Redemption, sums of money, and other the premises which shall be allotted to them for their proportion, which is hereby Enacted shall be granted accordingly, and shall be good and effectual in Law, according to the tenor and purport of the same, but subject to the Quit-rents of 18. pence per annum to be paid to His Majestie, His Heirs and Successors for every Twenty shillings which any house, Orchard or Garden-plot within the security aforesaid is worth to be let, according to the said former Act: and to such other Quit-Rents as any of the land within the said security ought by virtue of the said former Act, or this present Act to be charged with: Saving nevertheless to all and every the Archbishops, Bishops, and other the Ministers of the Church, such right, benefit and advantage of, in and to the

the forfeited houses in Cities, walled Towns and Corporations, as in and by the said former Act is given, the said Houses to be let out by the Commissioners for execution of this Act.

And be it Enacted by the Authority aforesaid, That the House chosen by Edward Lord Bishop of Limerick, in the City of Limerick, and set out to him for seven years, according to the Act of Settlement, together with that small waste plot of ground, and two ruinous Tenements thereon, which the present Bishop thereof now rents of the Trustees at Twenty shillings per annum, lying on the backside of the said dwelling House equal with the front thereof, down to the Highway adjoining to the wall of the said City, being from the said backside in length threescore and six yards, and in breadth twenty and nine yards, be annexed unto the See of Limerick forever and be a Mansion house for William the present Bishop thereof and his Successors.

House in Limerick settled on the Lord Bishop and his Successors.

And be it further enacted by the authority aforesaid, that the benefit and advantage of all forfeitures by false certificates, shall be in the first place applied to, and for the satisfaction of the persons aforesaid who ought to be satisfied twelve shillings and six pence in the pound until twelve shillings six pence in the pound be fully satisfied, in case the securities aforesaid shall not be sufficient for that purpose, and after twelve shillings & six pence in the pound fully satisfied to the persons aforesaid, then the whole benefit of the said forfeitures shall be, and remain, and shall be applied unto such uses, intents, and purposes as in and by the said former Act was appointed, so as the said false certificates be found out, and discovered within three months after the passing of this present Act.

Benefit of False certificates applicable to the 49 Security

And whereas by the said former Act such Officers or their Assignes who shall purchase any Houses, Lands, tenements or hereditaments within any Corporation are enjoined to give security to satisfy such as by virtue of any Lease or contract for Lease have built or improved any house or garden either in money or else by Granting to such person or persons a Lease at a Rent proportionable to the said improvement, so as the said proportion exceed not a fifth part of the value the same are worth to be sold, Whelluages built from the ground onely excepted: Be it Enacted and explained by the authority aforesaid, that no person or persons shall be admitted to have any satisfaction or security for his or their improvements who upon Leases or contracts for Leases made before His Majesties happy Restauration were bound to make such improvements, And have actually enjoyed the said Houses, Lands and Tenements during the full time and term of years for which they did contract and agree as aforesaid, any thing in this or the said former Act to the contrary notwithstanding. And to the end that all and every the houses in Corporations being part of the aforesaid securities may always continue in the hands of English and Protestant Subjects as near as may be. It is further Enacted by the Authority aforesaid, that no Papist or Popish Recusant shall be admitted to purchase any of the Houses in Corporations from the Commissioners for Execution of this Act, nor any other person or persons but such who shall take the Oaths of Allegiance and Supremacy, which Oaths any of the said Commissioners or any Justice of Peace hath hereby power to Administer, without the Licence and leave of the Lord Lieutenant or other chief Governour or Governours in Ireland and Council there by Act of Council first had and obtained: And further that no Commissioned Officer who served before the fifth of June 1649. nor the heir, Executor, Assignee or Assignes of such

Exposition of a clause in the first Act.

About improvements

Commissioned Officer, or other person to whom any of the houses within the said security shall be allowed, or shall hereafter come, shall let, grant, alien, demise, Lease or otherwise dispose any house or houses within the security aforesaid to any Papist or Popish Recusant or person refusing the Oaths of Allegiance & Supremacy as aforesaid, without licence aforesaid under paine of forfeiture of double the value of every such house so conveyed or disposed as aforesaid, One moiety thereof to the kings Majestie, his Heirs, and Successors, the other moiety to him or them that will sue for the same to be recovered by Action of Debt, Bill, plaint or information in any of the four Courts of Record at Dublin, wherein no Essoin, Protection, nor Wager of Law, to be admitted nor any more than one imparlance, and the said houses, and Lands in corporations together with the summe of 100000. pounds herein after mentioned are with all possible expedition to be distributed by the commissioners for Execution of this Act according to the rules aforesaid that so the daily ruine and decay of the said Houses may be prevented as soon as it is possible.

Rules for
Rating 49.
Officers
arrears to
be observed

And whereas the Lord Lieutenant and Council of this your Majesties Kingdom, have at the humble suite of severall of the said Officers conceived an order bearing date at the Council Board of Dublin the 12. of January 1663, wherein they have set down severall rules & directions for the stating the arrears of the severall Armies which were employed in the service of your Sacred Majestie, or your Royal Father of blessed memorie in your wars in Ireland, before the fifth of June 1649. which order by reason of the shortness of the time limited for stating the said arrears, and issuing debentures unto the said Officers, would not be punctually observed by your Majesties Commissioners appointed for Execution of the said Act, Be it therefore Enacted by the Authority aforesaid, That the said order bearing date as aforesaid, shall be and is hereby Enacted in as full and ample manner, as if the same were particularly set down & recited in this Act, & the Commissioners appointed or to be appointed for the execution of this Act, are hereby authorized & required, before they proceed to the giving out of any satisfaction for any arrears of pay due unto any of the said Officers, or their Assigns, to take care that all the accompts of the said officers be made conformable unto the Rules & Directions of the said Order, notwithstanding the Debentures issued as aforesaid, and that all deductions by the said Order appointed to be made, be made accordingly, which being done, the said Commissioners are to proceed to the setting out of satisfaction to the said Officers or their assignes, pursuant to the Rules of this Act and the said Order, and not otherwise: Saving to Charles late Earl of Mountrath, his Executors and Assignes the benefit of six thousand pounds due for service before the fifth of June, 1649 which is hereby declared, shall be satisfied and paid out of the securities aforesaid equally and in like proportion to and with any other persons who are to be satisfied their arrears, and have yet received no satisfaction for the same, any thing in the said Order of the Twelfth of January or herein before contained to the contrary notwithstanding: Saving also unto Edward Lord Viscount Conway and Kilulta the satisfaction of such arrears as are due to him for his own service, or for his fathers service in Ireland, before the fifth of June 1649. in such manner and form as the same ought to have been satisfied, if no such Order had been made by the Lord Lieutenant and Council upon the 12. of January 1663. Any thing in the said Order, or in this Act, to the contrary notwithstanding.

Saving to
Charles
late Earl
of Moun-
trath,

and to Ed-
ward Lord
Viscount
Conway &
Kilulta,

And

And whereas your Majestie taking into your Princely consideration, of how great importance it is to the security, peace and good settlement of this your Kingdome of Ireland, that the Maritime Towns and other places of strength, should be put into such hands as are capable to carry on the plantation and settlement of those places, where by the further ruin of the houses in those Towns will be prevented, and Commerce and Trade recovered, to the great increase of your Majesties Revenue, was graciously pleased by one or more Letters under your Royal signature, to direct and appoint that Wentworth Earl of Roscommon, and Roger Earl of Orrery, should have the priviledge of preemption, and be first satisfied out of the forfeited houses of your Majesties City of Limerick, Be it therefore Enacted by the Authority aforesaid, That Wentworth Earl of Roscommon, and Roger Earl of Orrery, their Heirs and Assigns, in the distribution and setting forth of the security appointed for the satisfaction of the arrears of the Commissioned Officers who served your Majestie, and your Royal father in Ireland, before the fifth of June, 1649. shall have the preference and primer satisfaction of 50000. pounds of their own personal arrears or other arrears purchased by them out of the forfeited houses, Lands, Tenements and Hereditaments in the City, Suburbs and Liberties of Limerick, which are part of the said securities, at the rate of eight years purchase, as they are or should be found to be really and bona fide worth, and if any doubt or difficulty should arise concerning the value of the said houses or Lands, so as the trustees for the said Officers shall not be satisfied with the return already made of the value of the same, that in such case, upon the desire and request of the said Trustees, there shall be a new survey and valuation of the said Town and Liberties, by such persons as shall be appointed by your Majesties Commissioners for the execution of this Act. by and with the consent of the said Trustees, according to which return the said Houses, Lands, Tenements and hereditaments are to be sold and not otherwise: and in case the said Earls, their Heirs and Assigns or any of them, shall offer unto your Majesties said Commissioners for the execution of this Act, any Debentures of Officers who served as aforesaid, before the fifth of June 1649. for or in part of payment for all or so much of so much of the said houses & premises as shall be valued to be worth 50000. pounds as aforesaid the same shall be allowed, & the said Commissioners are hereby authorized and required to accept & receive the same, for all, or in part of the said 50000. pound, so as the said Debentures are capable of prior satisfaction, and there has been such deductions and defalcations made as are directed by this Act, and the said former Act, and shall not be excepted to satisfy more in the pound than the whole security will hold out to satisfy the Debentures of the rest of the said Officers: And the said Commissioners are also required and authorized, to give such Certificate as is necessary for the passing of Patents thereof, according to the Rules in this Act.

And be it further Enacted by the authority aforesaid, That all and every the Protestants who before the first day of September 1663. purchased lands in the province of Connaght, or County of Clare from any transplanted or transplantable person & the heirs, Executors, Assigns or Assignes of such Protestant purchaser, shall hold & enjoy, and be continued, and confirmed in such two third parts of all and singular the lands, Tenements, and hereditaments, so by them purchased as aforesaid, whereof they are now in possession, which by the Commissioners for the execution of this Act shall be allotted to them, and shall hold

Wentworth
Earl of
Roscommon
and Roger
Earl of Orrery
to have
the privi-
ledge of pre-
emption
and satisfac-
tion out of
the forfeited
houses in
Limerick.

Clause for
Protestant
purchasers
in Con-
naght and
Clare vide

the same for and during such respective estates as were purchased, freed, and discharged from all penalties, and forfeitures and all inquires or qualifications whatsoever, and of and from all estates, titles and interests, claims or demands as fully, and amply as any Adventurer or Souldier ought to enjoy his or their full two third parts herein before expressed: And that the Commissioners for Execution of this Act, do proceed with all expedition possible to the setting out of the two thirds, and cause the same to be entered in Books in like manner as is before prescribed in the Settlement of adventurers and Souldiers, to the end that the persons concerned in the said two thirds, & their Settlement thereupon may be enabled to demand Letters Patents thereof in like manner as any Adventurer or Souldier may demand for his part, which is hereby Enacted shall be granted accordingly and be as effectual to the respective persons therein mentioned to all intents and purposes as any Letters Patents granted to any Adventurer or Souldier in pursuance of this Act, are or ought to be: Nevertheless it is hereby declared, That the persons to be settled as aforesaid, shall have the benefit of all their respective improvements as near as may be, And shall have like liberty and advantage in retrenchment of that third part which they are to relinquish, upon like terms and conditions as the adventurers and Souldiers are to have in the Retrenchment of that part of their possessions which shall exceed their full two third parts, and whatever shall be so Retrenched from the said Protestant purchasers or from any Adventurer or Souldier his or their Heirs, Executors, Administrators, or Assignes shall remain in his Majestie, his Heirs, and Successors, to the uses herein before and after mentioned: And where any of the Lands so purchased have been evicted by any Decrees herein after confirmed, or shall be given, or restored to any person or persons by any special clause, or proviso herein contained, The Commissioners for Execution of this Act shall set out, and allot unto the person prejudiced by such Decree or clause, so much other forfeited land as may be equal in quantity of Acres to two third parts of the Lands so evicted, or restored as aforesaid: And it is likewise further declared and Enacted. That the persons to be settled in Connaught and Clare as aforesaid, and from whom a third part is to be Retrenched and cut of as aforesaid, shall be and are hereby discharged of and from the years rent reserved and paid by Charles Earl of Mountcash, and others in a particular clause in the said former Act mentioned, and of and from all the arrearages thereof.

And be it further Enacted by the authority aforesaid, That neither Adventurer, or Souldier Commissioned Officer, who served before the fifth of June, One thousand six hundred forty and nine, Protestant purchaser in Connaught and Clare, transplanted person, nor the Heirs, Executors, Assignes or Assignes of them or any of them, nor any other person or persons, Body Politick or Corporate who by the said former Act of Settlement is or are any way intituled to reprisals for or in respect of some possession which they have quitted or of some decrees which have been made against them or otherwise shall at any time hereafter be enabled to demand or have the same reprisals further than what will amount to his and their full two third parts as aforesaid, but shall be thereof for ever bared & excluded any thing in the said former Act to the contrary notwithstanding (His Royal Highness James Duke of York, his Grace George Duke of Albemarle, & such others herein after mentioned according to the provision herein after made onely excepted)

Adventures
49. Officers
Protestant
purchasers
in Con-
naught and
Clare &c. to
have Repri-
sales for
two thirds
onely.

Except His
Royal High-
ness, and
Duke of
Albemarle

And be it further Enacted by the Authority aforesaid, That no Ad-Compound-
 venturer or Souldier, nor the Heir, Executor, assigne or Assignes ders with
 of any adventurer or Souldier, who before any Decree of innocence Irish Clay-
 made by the Commissioners for Execution of the said Act, did by mants before
 himselfe or any other directly or indirectly compound or agree with decree of in-
 any Irish claimant whose claime was then depending before the said lose satisfac-
 Commissioners shall ever be admitted to receive or have his two third tion for so
 parts or any other satisfaction for that part of his estate which he so much
 compounded or agreed for, but as to so much of his estate for which a-
 ny agreement was made as aforesaid, shall be for ever barred, and con-
 cluded, to demand his two third parts, as if the person so agreeing
 had never been seized or possessed of the same or intituled thereunto, so
 as such Composition or agreement be made to appear before the Com-
 missioners for execution of this Act, within thre monthes after their
 first sitting.

And for the better improvement and ascertaining of his Majesties re-
 venue, Be it further Enacted by the authority aforesaid, That all Land s sub-
 Lands by this or the former Act vested in his Majestie, or restored ject to quit-
 by virtue of any Decrees herein after confirmed, or settled, or men- Rents.
 tioned to be disposed, restored, confirmed or settled unto, or upon a-
 ny person or persons, Bodies Politick or Corporate, by virtue of any
 clause in this or the said former Act contained, and not particularly
 by plain and exprels words excepted from Quit Rents in the same
 clause, and the Lands by this Act appointed to be set out for augmen-
 tation of Bishopricks, for endowment of Parochial Churches with Glebe,
 for the better support of the Probost, or of the Probost and Fellowes
 of the Colledg of Dublin, for the maintenance of the Fort at Duncan-
 non, and the benefit of the Corporation at Bandonbridg, and all the
 Lands enjoyed by transplanted persons in the Province of Connaught
 or the County of Clare, and all other the Lands seized, sequestred or
 set out by reason of or upon account of the late Rebellion or war (the
 Lands of James Duke of Ormond, Elizabeth Lady Dutchess of Or-
 mond, the Earl of Burlington and Cork, the Earl of Roscommon, and of Protestants
 other the Protestants of Ireland, heretofore sequestred, onely excepted) formerly se-
 be subject and liable to such Quit Rents to be paid unto his Majestie quered on-
 his Heirs and Successors, as in the former Act, is directed and appoint- ly excepted
 ed: Saving onely that the Lands in the Province of Ulster, which by the
 former Act were charged with one peny the acre Quitrent, shall be,
 and are hereby charged from henceforth with two pence the acre Quit-
 Rent: Nevertheless, because it may so fall out, that in some Coun-
 ties and Baronies of this Kingdom, the Quit-Rents which by the
 Rules of this Act will be chargeable upon, and issuing out of the
 Lands therein lying, may exceed, or at least amount to the full value of
 the land therewith charged, or very near the full value, to the great
 discouragement of all Plantation and Improvement thereupon, Be it
 therefore Enacted by the authority aforesaid That it shall and may be
 lawfull to and for the Lord Lieutenant, or other cheif Governour or
 Governours, and Council for the time being, at any time during the
 space of thre years, from and after the passing of this present Act to
 make such abatement and moderation of Quit Rents, as they in their
 judgements shall think fit, and that such Order of Council as shall be
 made touching the abatement of Quit Rents, and enrolled in the Court
 of Erchequer, shall be as good and effectual, as if the same had been
 Enacted by these Presents, any thing herein contained to the contra-
 ry notwithstanding

what lands
payable to
years value

Lands for
pious uses
onely ex-
cepted

And for the better carrying on of this present Settlement, by raising such a sum of money as may be sufficient to buy of several Estates and Interests, which by virtue of the said former Act are now in being, and if they should be strictly challenged and demanded according to the tenor of the said Act, would in a great measure delay and hinder the execution of this present Act, Be it further Enacted by the authority aforesaid, that one years rent of all the lands in Ireland which were returned by the Civil survey to belong to any Irish papist, Popish Recusant, or Roman Catholic, according to the values of the same lands were let at in the year, 1659. & of all other the lands wherein any adventurer or Souldier, his Heirs, Executors or assigns hath any benefit of Settlement or Confirmation by virtue of this present Act (the Lands settled by Erasmus Smith to any pious or charitable use onely excepted) be forthwith raised & paid unto the Receivers herein after constituted and appointed, by two even and equal payments, the first payment thereof to begin upon the first day of February, which shall be in the year of our Lord, 1665. the second payment to be upon the first day of February, which shall be in the year of our Lord, 1666. under the penalty following, that is to say every person liable to the payment of any part of the said years Rents, and making default and failing to pay the same, by the space of twenty days after any the days and times wherein the same ought to be paid, shall be chargeable, and is hereby charged with double the sum which ought to have been paid as aforesaid, to be levied by Process out of his Majesties Court of Exchequer, in like manner as any the Rents whereof the said Earl of Orrery and Lord Massereen were appointed Receivers by the said former Act, might have been levied, & if need so require like course is to be taken for the ascertaining of the value of Lands charged with the the said years rent, and of returning the same into the Exchequer to remain and be a charge upon Record, as in and by the said former Act in case of the said other rent therein secured was appointed, And the Receivers herein after appointed are to accompt for and pay unto Arthur Earle of Anglesey Vice-treasurer of Ireland, or to the Vice-treasurer of Ireland, for the time being, all and every the sums of money by them to be received: Nevertheless it is hereby declared & Enacted that all and every the sums of money formerly paid to the Earl of Orrery, and Lord Vice-count Massereen, in pursuance of the said former Act, shall be allowed to the person and persons so paying the same, his and their heirs, Executors, and Assignes in full discharge of so much of the rent payable by this Act as the moneys so as aforesaid payd, do or shall amount unto, and the two half years rents payable to the said Earl of Orrery, and Lord Vice-count Massereen, by any Adventurer and Souldier, their Heirs, Executors or Assigns, by virtue of the said former Act shall be and are hereby from henceforth discharged. And in case the monies to be raised as aforesaid shall fall short of the sum of three hundred thousand pounds, then it shall and may be lawful to and for the Lord Lieutenant or other chief Governour and Council there for the time being to tax and assess upon all the lands in Ireland, so much more money, as together with what hath been before raised and allowed by virtue of this Act shall make up the full and just sum of 300000 pounds sterling, and to cause the same to be assessed, distributed, raised, and levied by such wayes and meanes as they shall think fit, observing therein all the equality and indifferency that can be, And Arthur Earle of Anglesey Vice-treasurer of Ireland, or the Vice-treasurer for the time being, is hereby required and enjoined to

pay or cause to be payd out of the moneys to be received as aforesaid unto the Kings Majestie the summe of 50000. pounds, and also unto and amongst such Commissioned Officers who served before the fifth of June 1649. and have not yet received any satisfaction in Lands or money, and amongst the heirs, Executors and Assigns, of such Commissioned Officers, and other persons intituled to be satisfied within their security such sums of money as the Commissioners for Execution of this Act, having respect to the arrears already stated, shall by any warrant under their hands & Seals, or the hands & Seals of the Major part of them, direct and appoint, until the whole sum of 100000 pounds shall be fully satisfied and paid, and the warrant or warrants under the hands and Seals of the said Commissioners or the Major part of them, together with the acquittance or acquittances of the party or parties who shall receive any money thereupon shall be unto the said Vice-treasurer a sufficient discharge for so much as the said acquittances extend unto: which said 100000. pounds so as aforesaid appointed to be payd, is hereby declared to be in lieu and recompence of and in full satisfaction for the years rent payable out of the lands of those Souldiers who had lands set out for their arrears in the year 1653. and the year and halfe rent payable by those other Souldiers who had Lands set out for their arrears in the years 1655; 1656, 1657, 1658, 1659. The payment of which said rents shall from henceforth cease and determine, and the persons and estates there with charged or chargeable by the said former Act, shall be, and are hereby thereof for ever acquitted and discharged: And whereas several clauses in his Majesties Gracious Declaration of the 30. of November, in the 12. year of his Raign, and in the former Act, do intitle his Grace James Duke of Ormond, and the Lady Dutchess his Wife to great quantities of forfeited lands in the Counties of Catherlagh, Galloway, Waterford, Dublin, Kildare, Meath, Cork, Kerry, Kilkenny and Tipperary, and other places, and if the same were extended to the utmost would greatly obstruct and hinder the Settlement now intended, Be it therefore Enacted by the Authority aforesaid, That the full sum of 50000. pounds sterling be payd out of the moneys aforesaid unto his said Grace James Duke of Ormond, now Lord Lieutenant of Ireland, his Executors, administrators, or assigns, which the said Vice-treasurer is hereby required and enioyned to pay or cause to be paid out of the moneys aforesaid unto his said Grace, or unto such other person or persons as his Grace shall appoint, which is hereby declared to be in lieu and recompence of and in full satisfaction for all such forfeited and forfeitable estates, titles interests claims or demands in or to any Mannors, Lands, Tenements or Hereditaments mediately or immediately held, as of any of the Mannors of the said Duke or the Lady Dutchess of Ormond his Wife, or heretofore granted by his Grace, or any of his Ancestors, or by any of the Ancestors of the said Lady Dutchess in fee farm or fee taile, & of all & singular the statutes, judgments, Mortgages, and other real securities for money given, made, acknowledged or entered into by any person or persons holding as aforesaid, to any other forfeiting person or persons not declared innocent, to all which premises the said Duke and Dutchess respectively by his Majesties said Declaration, and by the said former Act are intituled, and of all mean rates, issues and profits thereof since incurred, and now due to his Grace, other than what is already received to his use, for which he is hereby acquitted, and of all and every the Reversions and Remainders which the said Duke or Dutchess now hath, or have expectant upon the said

100000 l.
to be distributed
amongst 49.
Officers.

Clause for
James D.
Ormond
& Dutchess
of Ormond

forfeited and forfeitable Estates tails, which Estates, Interests, and other the benefits and advantages herein before mentioned are intended, and so are hereby declared to be as against the said Duke or Dutchess, their Heirs and Assignes utterly barred and extinguished: Saving nevertheless to the said Duke and Dutchess, their Heirs and Assigns, and to such other person and persons as are concerned in the uses expressed in one Quadripartite Deed bearing date the 20. day of December 1661, the full benefit and advantage of all such Tenures, chief-rents and other services, as the said forfeited and forfeitable Lands and Tenements were held by, other than the benefits and advantages of Wardships and Tenures by Knights Service, in as full and ample manner as the said Duke and Dutchess did hold or enjoy, or might have held or enjoyed the same upon the 22. day of October 1641. or at any time, since: Saving also to the said Duke and Dutchess of Ormond, their Heirs & Assigns the benefit of all forfeited & forfeitable Estates vested in his Majestie, & held of them, or either of them as aforesaid, their or either of their Ancestors, and which were never allotted to any Adventurer or Souldier, in which words it is hereby declared, That the Estates allotted or set out to any Souldier for service in England or elsewhere, other than in Ireland, are not to be understood or comprehended, nor the Estate of any Adventurer upon the Doubling Ordinances, for more than such Adventurer is to have by the rules of the said former Act, for the sum by him disbursed, as other Adventurers, nor the estate of any Adventurer who claimeth for sea-service, nor the estate allotted to any person whatsoever, by the free gift of the late Usurpers or of the then usurped Government, but that all such estates shall be, and remaine unto the said Duke and Dutchess, their Heirs and Assigns as they did or ought to have been at any time before the making of this Act; and also saving unto the said Duke and Dutchess, their Heirs and Assigns the full benefit and advantage of all other matters and clauses in the said Declaration and former Act contained, not herein and hereby expressly changed and altered, and by the said Duke & Dutchess waived and parted withall, which are hereby declared to remain and be in full force as they were before the making of this Act.

further pro-
videe for Ja-
mes Duke
of Ormond
and the La-
dy Dutchess
of Ormond

And whereas the most part of the Houses & Lands in the city of Kilkenny and in the several Towns of Clonmel, Carrick, Callin and Inistioge, Traly and Dingle, and in the Suburbs & Liberties of the said City and Towns, were held the 23. of October, 1641. of the said Duke of Ormond, either in his own right or in the right of the said Duke or Dutchess his Wife, by reason whereof the forfeited & forfeitable interest of any person or persons in the said houses and Lands were not by the said Declaration and former Act to be settled in any Adventurers or Souldiers, or any other person whatsoever, other than the said James Duke of Ormond and his Heirs, of which Concession if the said James Duke of Ormond did take the advantage and full benefite as he might the same would tend to a great diminution of the security designed for satisfaction of the Commissioned Officers serving in Ireland before the fifth of June, 1649. And he the said James Duke of Ormond might likewise as a Commissioned Officer charge the remain of the said security with his arrears, amounting to 60000. pounds Sterling accompting to the 10. of December, 1650. yet is content to accept of the said houses and Lands in full discharge of his said arrears, be it therefore Enacted by the authority aforesaid, That the said James Duke of Ormond shall have, hold and enjoy to him and his heirs in full satisfaction and discharge of the said arrears, all and singular the forfeited and

and forfeitable houses and Lands lying and being in the said City, and in the said several Towns, and in the Suburbs and Liberties thereof, other than what hath been given out to adventurers and Souldiers, and by them, their heirs or assigns were possessed upon the seventh day of May 1659. Any thing in this or the said former Act to the contrary notwithstanding: Be the said James Duke of Ormond and his heirs, paying and satisfying to his Majesty, his heirs, and Successors yearly for ever out of the said houses and Tenements in the said City and several towns and in the Suburbs and liberties thereof, one shilling six pence yearly out of every twenty shillings yearly rent which shall be had or answered out of the said houses or Tenements, And the said Vice-treasurer is hereby further required and enjoined to issue out and pay the whole residue of the said 300000. pounds unto such person and persons as his Majesty already hath or hereafter shall appoint as a Reward of their Eminent services and sufferings for his Majesty or his Royal Father; & for preventing of all doubts which may arise in the issuing and payment thereof, It is hereby declared that the same shall principally, and in the first place be applyed to and for the payment and discharge of such sums of money as his Majesty did heretofore appoint to be payd out of the half years Rent payable by adventurers and Souldiers by the said former Act, That is to say, to and for the payment and discharge of such sum or sums of money appointed by his Majesty to be payd to his Grace James Duke of Ormond, or so much thereof as is in arrear, and also for the payment and discharge of so much money, as the half years Rent payable by Adventurers and Souldiers in the Counties of East and Westmeath, Wexford, and Kilkenny, would have amounted to in case the same had not been discharged by this present Act which shall now be payd out of the residue of the said 300000. pounds unto the Assignee of the half years Rents in the Counties aforesaid deducting only what hath been already received.

And be it further Enacted, declared and explained by the authority ^{Regicides} ^{estates be-} ^{lieved in his} ^{Royal} ^{Highness.} aforesaid, That all the Honours, Mannors, Castles, Messuages, Lands, Tenements, and hereditaments of the Regicides in the said former Act named, and of all other seized or possessed in trust for them, or any of them, or claiming by from or under them or any of them which by the said former Act were or ought to be vested in His Royal Highness James Duke of York and Albany, Earl of Ulster &c and his heirs, and of all other persons excepted in the Act passed in the Parliament of England, intituled an Act of free and general pardon, Indemnity and Oblivion, or his Majesties late gracious Declaration, and Instructions in the said former Act mentioned, whose estates are not otherwise disposed, other than the Lands of such purchasers for valuable consideration from any of the said Regicides who have paid their purchase money to his Royal Highness or his Commissioners or to the Executors of such Regicides, who have since answered the same upon their accompts to his Royal Highness or his Commissioners, and other than the lands and houses granted or intended to be granted unto James Duke of Ormond, and the Lady Dutchess his Wife, or either of them by this or the said former Act, and other than the Lands granted unto Michael now Lord Archbishop of Dublin, heretofore Lord Bishop of Cork, and the Lands granted unto Francis Lord Aungier, and other than the Lands granted to Sir George Lane before, and confirmed in and by the said former Act, and other than the Lands settled upon Hercules Buncks, by the said former Act, which

In case any
of the said
lands have
been ejected
or other lands
to be set out
in what
Counties

Saving to
Arthur E.
of Anglesey
the right of
his lease

Proviso for
George D.
of Albemarle

Ferry at
Wierford set-
led on G. D.
of Albemarle

shall remain to them their Heirs, and Assignes accordingly, and other than the lands which have been decreed away by the Commissioners for Execution of the late Act, shall be and are hereby declared to be and continue vested in his Royal Highness, and his Heirs as fully and amply with all the like benefit and advantage as by the said former Act is mentioned, discharged of all Rents, services and payments by this or the said former Act reserved, created or imposed, but subject to the same Rents, services and payments as other lands by this Act ought to be, in case his Royal Highness or his Heirs shall alien or demise the same otherwise than for lives or years, reserving the full Satisfaction of the improved Rents: And where any lands formerly set out in satisfaction of any Adventures or arrears or any other Lands whatsoever due to the said Regicides, or any of them have been ejected or recovered from his Royal Highness his heirs and Assignes by virtue of any such decrees as aforesaid, Be it further Enacted, That some other like quantity of profitable and forfeited Lands according to the Down Survey equal in number of acres to those which have been so ejected and within the counties of Dublin, Down, Wick, and Cork, or some of them if it may be, or otherwise elsewhere, be forthwith set out by the Commissioners for Execution of this Act, and allotted to his Royal Highness and his Heirs to be held as aforesaid: And further that all deficiencies which have happened to all or any the persons whose estates by the said former Act, or this present Act are vested in his Royal Highness, and his Heirs or which have happened to their or any of their estates be fully satisfied and supplied out of some other forfeited lands to be set out by the Commissioners for Execution of this Act, and allotted to his Royal Highness and his heirs, to be held as aforesaid, and that all moneys lent or disbursed by any of the said persons or by any others for them or any of them for Provisions, Arms or Ammunition for support of his Majesties Army in Ireland in the beginning of the Rebellion there, be likewise satisfied out of the Lands and Houses for that purpose, according to his Majesties Declaration in the said Act of Settlement to be set out by the Commissioners for execution of this Act, and allotted to his Royal Highness, his Heirs and Assignes to be held as aforesaid, any thing in this or the said former Act, to the contrary notwithstanding: Saving always unto Arthur Earl of Anglesey, such right and Title of, in and to such part of the premises as he the said Earl of Anglesey hath, or ought to have by virtue of the said former Act, or this present Act, or by virtue of an Indenture of Lease under the hand and seal of his Royal Highness, made between his Royal Highness of the one part, and the said Earl of Anglesey on the other part bearing date before the passing of this Act, Any thing in this or the said former Act to the contrary notwithstanding.

Provided always and be it Enacted, that this Act shall not extend, or be any ways construed to take away, or be prejudicial unto any Estate, Right, Title or interest of George Duke of Albemarle, his heirs or Assigns, of, in or to any Lands, Tenements or Hereditaments, accruing to him or them by virtue, or in pursuance of the said former Act, or one other Act, intituled, An Act for the securing several Lands Tenements & hereditaments to George Duke of Albemarle: any thing herein before or after expressed to the contrary in any wise notwithstanding.

And it is further Enacted, That the Ferry at Wierford, with all the profits, and other the Rights and Priviledges thereunto belonging, or therewith used and enjoyed, shall be and are hereby vested and settled in the said George Duke of Albemarle, and shall be held and enjoyed by

by the said George Duke of Albemarle, His heirs and Assignes.

And whereas several Lands and Tenements, whereof the said George Duke of Albemarle was seized by virtue of one or both the Acts before mentioned, have been evicted or recovered from the said George Duke of Albemarle, by virtue of certain Decrees lately made by the Commissioners for execution of the said former Act, and some Incumbrances have likewise by Decree of the said Commissioners been allowed and charged upon the Lands of the said George Duke of Albemarle, for redemption whereof the said George Duke of Albemarle hath paid and satisfied the full sum of 800. pounds, Be it further Enacted, That the commissioners for execution of this Act, do forthwith set out and allot to the said George Duke of Albemarle, and his heirs or Assigns, out of the lands in the County of Wierford, now, or lately held in Custodiam of his Majestie by Sir Richard Clifton Knight, so much other land as may be equal in quantity of profitable acres, to what hath been so Decreed and Evicted as aforesaid, and in value to such Incumbrance as hath been recovered & satisfied as aforesaid: which Lands so as aforesaid to be allotted, shall be held & enjoyed by the said George Duke of Albemarle, his heirs & Assigns, as fully & amply as the Lands so Evicted and Decreed as aforesaid, might have been held, in case no such Decree or Eviction had been, Any thing in this or the said former Act contained to the contrary notwithstanding.

Duke of Albemarle to be satisfied for 800 l. and lands decreed away

Provided always, and be it Enacted by the Authority aforesaid, That the right Honourable Thomas Earl of Southampton, Lord high Treasurer of England, Anthony Ashley Lord Ashley, Chancellor and Undertreasurer of his Majesties Court of Exchequer, Sir Orlando Bridgeman Knight and Baronet, Lord chief Justice of his Majesties Court of Common Pleas at Westminster, and Sir Henry Wiernon Knight and Baronet, shall have, hold, and enjoy to them, their heirs and Assigns, all, that the Castle, Mannor and Abby of Eniscozthy in the County of Wierford, and all the Mannors, Towns, Villages, Lands, Tenements, Territories and Hereditaments late of Robert Wallop, late of Farley-Wallop in the County of Southampton called Kilbeg, Cloine, Tumlalow and Effernock, or by what other name or names soever they are known or called, with their and every of their appurtenances in the said County of Wierford, and all other Lordships, Mannors, Castles, Lands, Tenements, Rents and Arrearages of rents reserved and payable upon any Lease or Leases for lives or years or otherwise, and all Reversions, Remainders, Services and Hereditaments late of the said Robert Wallop, with their and every of their appurtenances in the said County of Wierford, and also all that Priory, or Rectory and Church Improprate of Selsker in the said County of Wierford, and all Houses, Edifices, Barns, Stables, Tythes, Oblations, Obventions, Profits, Commodities and Advantages whatsoever thereunto belonging or appertaining, and all other Tithes or tenth parts of Corn, Grain, Hay, Wool, Lamb, Fish, and other Tithes whatsoever, late of the said Robert Wallop, yearly arising, coming, renewing or happening within the several Parishes and Towns, Villages, fields, hamletts, tytheings and tytheable places of St. Margaret, St. Ivern, Martenon, Kilmore, Killame, St. Peter, Carycke, Killoryn, Ballysonon, Ballnalden, Killish, Ardavan and Ard-Colline, Killmallock, St. Nicholas, Takillin, Skraene, Killisk, Ballmestaine, Selsker and St. Coolirck in the said County of Wierford, and also all other Lordships, Mannors, Castles, Ab-

Eniscozthy &c confirmed to Thomas Earle of Southampton &c. according to Letters Patents.

heys, Towns, Mills, Territories, Messuages, Lands, Tenements, rents and arrears of rents as aforesaid, reversions, tythes and hereditaments whatsoever in Ireland, late the possessions of the said Robert Wallop, and also all other Mannors, Messuages, Lands, Tenements, Meadows, Feedings, pastures, woods, under-woods, tythes, rents, reversions, and hereditaments, together with all and singular Courts, Courts-leet, Courts-Baron, viewes of Francpledge, and all that to Courts-leet and viewes of Francpledge appertaineth, Perquisites, and profits of Courts, Chattels, Waifes, Estrays, Rights, Jurisdictions, Franchises, Priviledges, Commodities, Advantages, Emoluments, Hereditaments whatsoever, to the aforesaid Lordships, Mannors, Castles, Abbeyes, Lands, Tenements, hereditaments; and other the premises aforesaid, or any of them, or any part or parcel of them in the said County of Wexford, or elsewhere in this Kingdom of Ireland, belonging or appertaining, or accepted, used, reputed, taken or known as part, parcel or member of them, or any part or parcel of them with their and every of their appurtenances late of the said Robert Wallop, all which premises by his Majesties Letters Patents under his Great Seal of England, bearing date the 26. day of September, in the thirteenth year of his now Majesties Reign, were mentioned to be granted by his said Majestie unto the said Thomas Earl of Southampton, Lord Ashley, Sir Orlando Bridgeman, and Sir Henry Vernon, and their Heirs, and all and singular conditions, covenants, forfeitures, entries, titles and rights in any Indenture or Indentures of Lease of the premises or any of them specified or contained or otherwise.

And be it further enacted by the authority aforesaid, That all and singular the said Castles, Mannors, Hereditaments, and premises shall be and are hereby declared and adjudged to be vested and settled in the said Tomas Earl of Southampton, Anthony Ashley Lord Ashley, Sir Orlando Bridgeman, and Sir Henry Vernon, and their heirs, and that as fully and amply as if the said Letters Patents had been good and effectual in Law according to the intent and purpose thereof, any thing in this or the said former Act to the contrary hereof in any wise notwithstanding.

Proviso for
Sir Maurice
Cusace
Arthur Earl
of Essex
Roger Earl of
Orrery &c.

And be it further enacted, That Sir Maurice Cusace Knight late Lord Chancellor of Ireland, Arthur Earl of Essex, Roger Earl of Orrery, Charles late Earl of Mountcash, Richard Lord Baron of Coloone, Michael late Lord Bishop of Cork, now Lord Chancellor of Ireland, and Lord Archbishop of Dublin, John Lord Vicecount Massareen, Marke Lord Vicecount Dungannon, Robert Boyle Esq; Sir Arthur Forbes, Major George Rawdon now Sir George Rawdon Baronet, and the relict and heirs of Sir Simon Harcourt, and the relict and Children of Colonel George Cooke, and the Orphans of Colonel Owen O'Conelly, Sir George Lane, Sir James Maymes, Sir George Alcoug, Sir Theophilus Jones, Sir Walter Plunkett, Sir George Preston, Sir John Bellet, Sir Martin Roel, Sir St. John Broderick, William Legg Esq; Edward Vernon Esq; Robert Southwell Esq; Captain William Hamilton, Maurice Keating Esq; Erasmus Smith Esq; Susanna Bastwick and her Children, Sir William Pettie, and all others particularly provided for in the said former Act, and not particularly mentioned in this present Act, and other special provisions made for them, their heirs, executors and Assigns do hold and enjoy to them their heirs and Assigns all and singular the lands, Tenements and hereditaments in and by the said former Act,

And all o-
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vided for in
the said for-
mer Act

Act, settled, granted, disposed and confirmed, or mentioned, meant or intended to be settled, granted, disposed and confirmed to them; their heirs and assigns, and not already decreed away by such decrees as are herein confirmed, and all other the benefits and advantages of this present Act, & the benefits & advantages in & by the said former Act mentioned in any particular clause or other proviso relating to them or any of them, their heirs or assigns, the benefit of reprisals in the said former Act granted onely excepted, any retrenchment or alteration thereof made by the Lord Lieutenant and Council of Ireland, or any other matter or thing in this Act to the contrary notwithstanding. And it is further enacted that Sir William Penn shall hold and enjoy to him and his heirs, all and singular the Lands, Tenements and hereditaments situate in the County of Cork, whereof he the said Sir William Penn by himself or his undertenants was upon the first day of March, 1664. in possession, as tenant to his Majestie, and in case the same shall fall short of the full value of 1000. pound per annum over and above all Quit rents, charges and reprises, the Commissioners for Execution of this Act shall cause so much other forfeited Land to be sett out and allotted unto the said Sir William Penn, his Heirs and assigns, as may make up the same to the full cleer yearly value of 1000. pound per annum as aforesaid, and in case the lands held by the said Sir William Penn, his undertenants or assigns upon the said first day of March 1664. shall exceed the value of 1000. pound per annum over and above all Quit rents, charges and reprises as aforesaid, he the said Sir William Penn, his Heirs and assigns shall reconvey unto his Majestie, his heirs and Successors so much thereof as by the Commissioners for the execution of this Act, shall be declared, or by any Inquisition to be taken within two years after the Royal assent given to this Bill shall be found to be over and above the value of 1000 pound per annum as aforesaid.

and not particularly mentioned in this Act.

Sir William Penn to hold the lands in Custodiam to the value of 1000 l per annum.

And it is further Enacted by the authority aforesaid, That the Earl of Clanrickard, Earl of Castlehaven, Marrough Earl of Inchequin, the Earl of Clancarty, Lord Vice-count Dillon, Simon Luttrell, Dudley Bagnall Esq; Henry Bagnall, Catherine Corbett, Theobald Purcell Esq; and such others who are particularly mentioned in the said former Act, to be restored to their estates, and therein, and thereby, are actually restored without any Previous reprisal, and their and every of their Executors, and Assignes shall stand and continue restored to and vested in such their estates thereby intended, and shall have and enjoy the lands, Tenements and Hereditaments, and all other the benefits and advantages of the said former Act in such manner and form and for such estates and with such priviledges, immunities and discharges respectively as in and by the said former Act are mentioned and expressed: Nevertheless it is hereby declared, that this restitution and confirmation is not to extend to any Lands, Tenements or Hereditaments other than such as did truly and without fraud upon the two and twentieth of October, 1641. belong to and were enjoyed by the said persons or some of them, their or some of their Ancestors or Heirs, or were in the possession and seizin of some others in trust for them or some of them, or be particularly expressed in the several and respective clauses of the said former Acts: And to the end it may more clearly appear how much Land the persons aforesaid are truly intitled unto by virtue of this or the said former Act, and how farre the persons who are or shall be dispossessed by them or any of them ought to be relieved by virtue of this Act, It is further Enacted that all and

Proviso for Earl of Clanrickard Earl of Castlehaven &c.

every the persons aforesaid who claime any benefit by the clauses aforesaid shall make out such their title as to the severall parcels of Land which they demand before the Commissioners for Execution of this Act, within such time as shall be limited by the Commissioners and take out their Decrees for so much as shall be allowed upon their Claims, & in default thereof shall forfeit two years value of the Lands in their or any of their possessions respectively, or in the possession of their tenants or Trustees, one moiety to the Kings Majestie, the other to the Informer, to be recovered in like manner as other forfeitures are by this Act appointed to be recovered.

For Tho-
mas Pigott
and Mat-
thew Lock
Esq;

And it is further declared and enacted, That Thomas Pigott Esq; and Matthew Lock Esq; shall have and enjoy to them and their Heirs two full third parts of the Lands in Westmeath, settled on them by the said former Act, with like libertie of Retrenchment, retaining possession and of demanding and having Letters Patents as other Adventurers and Souldiers ought to have, and as if the said Lands in Westmeath had been in the possession of the said Thomas Pigott, and Matthew Lock, on the Seventh of May 1659. and had been allotted to them as original Adventurers, any thing herein before to the contrary notwithstanding.

Decrees if
found in two
years to have
more land
then in 41
shall forfeit
double the
value.

And it is hereby declared and further Enacted, That if any of the said persons herein before mentioned to be restored and appointed to take out Decrees as aforesaid, or any others who by virtue of any Decrees heretofore made by the Commissioners for Execution of the said former Act, have been restored, shall at any time within two years next ensuing, be found by colour of some clause in the said former Act, or Decree as aforesaid, to have entred upon and kept possession of more land than did rightfully belong unto them, and was in their possession on the two and twentieth of October, 1641. unless the same Land were particularly expressed and given in some clause in the said former Act contained, that then and in such case the person so offending shall forfeit double the value of the land so fraudulently possessed and detained, unless the said offender shall within three months next after the first sitting of the Commissioners for the Execution of this present Act, discover and declare the same to the said Commissioners, and openly relinquish and surrender the possession so unduely detained as aforesaid, of which forfeiture one third part shall be to our Sovereign Lord the King, and the other two thirds to him or them that will sue for the same to be recovered by action of Debt, Bill, Plaint, or information in any of the four Courts of Record at Dublin wherein no elsoyne, Protection or wager of Law shall be, or any more than one imparlance.

Unless the
persons doe
surrender
in 3 months
after the
sitting of
commission-
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Clauses, in
the former
(consistent
with this)
Act, and not
altered, con-
firmed,

And be it further enacted by the Authority aforesaid, That all and every the clauses in the said former Act contained, and not herein altered, explained or repealed, and which will consist with the Execution of this Act, shall be and so are hereby declared to remaine and be of such like force and effect as the same were before the passing of this Act, and that all other the clauses which will not consist with the effectual Execution of this Act, shall be and are hereby repealed any thing herein before contained to the contrary notwithstanding: And further, that all and every the clauses in this or the said former Act, contained, so far as the same remaine in force, shall be construed, expounded and taken in all Courts and places whatsoever most liberally and beneficially for the protecting, settling and establishing the persons, estates and interests of Protestants who are principally intended by these presents to be settled and secured.

Incon-
sistent re-
pealed.

And bene-
ficially to be
construed for
protestants

And

And be it further enacted by the authority aforesaid. That all Decrees made by the Commissioners for Execution of the said former Act whereby any Protestant or Protestants have been declared innocent shall be and are hereby absolutely confirmed, and also that all Decrees whereby any Papist or Papists have been declared innocent, and which shall be taken out within three months after the first sitting of the Commissioners for Execution of this present Act, shall be and are hereby absolutely confirmed according to the tenor, purport and effect of the same, any exception touching the time wherein the same Decrees were made, and any irregularity or pretended irregularity in not pursuing the Declaration, Instructions and the said former Act to the contrary notwithstanding, such Decrees wherein any Landes are comprehended or which any Protestant or Protestants was or were possessed before the two and twentieth of October 1641. and which were never seized or sequestred or set apart upon the account of the late Rebellion or War, and such Decrees wherein more Lands are Decreed to the Claimant than were claimed by him, as to those Lands so Decreed beyond the claim onely excepted, which are hereby declared as for so much to be utterly void, so as the same be discovered within six moneths next after the first sitting of the Commissioners, subject nevertheless to such penalties, as in this and the said former Act are contained, touching false and fraudulent Claims, so as the same be discovered within two years next ensuing the passing of this present Act.

Provided always, and be it Enacted, That no person or persons, who by the Commissioners for execution of the said former Act, have been adjudged and declared innocent, and to whom any Land, Tenements or Hereditaments have been adjudged and restored by the Decree of the said Commissioners, nor any other person or persons claiming under such Decree, shall be permitted to sue or prosecute the person or persons against whom such Decree was made, his or their Executors or Administrators, or any of their Tenants or Assigns, touching or concerning any Waste profits of the Lands and Tenements so as aforesaid decreed, but that all Suits, Actions and Demands touching or concerning such Waste profits, and all prosecutions therefore, whether in law or equity, shall be and are hereby barred and excluded, and all and every person and persons liable to such actions, molestations and prosecutions, shall be thereof for ever acquitted and discharged. Any thing in this or the said former Act contained to the contrary notwithstanding.

And because many persons did put in their claims before the Commissioners for execution of the said former Act as innocent persons, thereby demanding some small parcel of Land onely, or deriving his or their title to some small part from some Irish Papist, and thereupon no opposition being made, the said Commissioners declared the said Claimant, or the person under whom the Claimant derived, to be innocent since quo ad hoc, since which time the said Claimants, & the said persons under whom they derive, alleging themselves to be declared innocent, enter upon great estates in several Counties, as devolved out of the Crown by such Judgement of Innocence, pretending the limitation of that Innocence by the words of the Decree quo ad hoc to be repugnant and impossible, contrary to the intention and meaning of the said Commissioners by them publicly declared, whereas if the whole estates to which the said persons now pretend, had been then in question before the said Commissioners, the several Adventurers and Soldiers therein concerned, had been summoned to have taken notice there-

of, and might have made such opposition, and produced such proof of their nocency as they thought fit, Be it therefore Enacted, That no Decree wherein any person or persons have ben declared innocent quo ad hoc, shall give such person or persons any title by virtue of any such Decree, to enter upon, or enjoy any more or other Lands than what were particularly mentioned in such Decrees, but that all other the Lands of such person or persons declared innocent, quo ad hoc, which were sequestred upon the accompt of the late Rebellion or War, shall remain and continue in His Majestie, to the uses, of this and the said former Act, Any thing in either of the said Acts to the contrary notwithstanding.

It is
again
where
of Tyrecon-
nel declared
null,

Provided also, and be it enacted, That nothing herein contained, shall extend in any wise to ratifie or confirm the Decree made by the Commissioners for execution of the said former Act, wherein & where- by Oliver Earl of Tyreconnel hath ben declared to be nocent, but that the said Decree, and every part thereof, shall be and so is hereby declared to be null and void, as if the same had never been had or made, and that the said Oliver Earle of Tyreconnel, and all others who upon the Thre and Twentieth of October, 1641. or at any time since were or are seized to his use, or in trust for him, or in trust for Sir Thomas Fitz William, late Vicecount Merpon, Father to the said Earl, or Christopher Fitz Williams, Uncle to the said Earl, or in trust for the Countess of Tyreconnel, Wife of the said Earl of Tyreconnel, and for her separate maintenance or Claiming by, from or under him the said Earl of Tyreconnel, shall be and continue in such like estate & condition, & no other nor better, than he or they ought to have ben in case no such Decree had ever been made, subject nevertheless to such Quit Rents as by this Act are imposed, any thing herein, or in the said former Act, contained to the contrary notwithstanding.

And
restitution
of his estate.

And be it further Enacted, that the said Oliver Earl of Tyreconnel shall hold and enjoy to him and his heirs the Lands in Cappock in the County of Dublin, and Hanlason and Athronan in the County of Meath, Mortgaged by the Lord Vicecount Fitz William his Father, now forfeited to his Majestie, and that his Majesties Letters Patents under the Great Seal of England, bearing date the eighth day of June, in the sixteenth year of his Majesties Reign, containing his Majesties gracious pardon to the said Earl of Tyreconnel, and a clause of restitution of all the Lands and Tenements of the said Earl, shall be, and is hereby confirmed and shall be held and enjoyed accordingly, subject to Quit Rents as aforesaid.

Proviso for
Probst
fellows &
Scholars of
Trinity
Colledg.

Provided alwayes, and it is hereby Enacted and Explained, That no Lands whereof the Probst, Fellows and Scholars of the Colledg of the holy and undivided Trinity, of Queen Elizabeth, near Dublin, were seized in fee in the year, 1641. and are now in their actual possession, nor any Lands held by virtue of any Grant, Lease or Fee Farm from the said Probst, Fellows and Scholars, and forfeited to his Majestie, shall be disposed by virtue of this or the said former Act, but that they and every of them remaine and be in the said Probst, Fellows and Scholars, and their Successors for ever, Subject nevertheless to the payment of such Quit rents for the said forfeited Lands, as Adventurers or Souldiers by virtue of this or the former Act ought to pay, any thing in this or the said former Act contained to the contrary notwithstanding.

Innocents
left to the

And because several persons have been decreed innocent, but nevertheless have not been restored to the Lands which they claimed before the

the Commissioners for execution of the said former Act, but have been law or title left to the course of law for the recovery of their possessions by trying their titles grounded upon the validity of those evidences by which they pretended to claime. Be it therefore Enacted by the authority aforesaid, That all and every person and persons who were defendant or defendants in the suit or claim upon which such decree was made as aforesaid, and those claiming by, from and under them, shall within three months next after the sitting of the Commissioners for Execution of this Act, declare and make his and their election by writing under his and their hands and Seals, or under the hands and Seals of his and their attorneys or agents thereunto lawfully authorized, whether they will immediately deliver up and relinquish the possession of the Lands in controverſie unto the Kings Majestie, and resort to their proportionable satisfaction out of other forfeited Lands, which if they do elect, they are to be admitted accordingly, and shall be satisfied his and their full two third parts, and so much more as may be Equivalent to his and their buildings and improvements, and then shall part with the said Lands, or whether they will rather abide the tryal at law, which if they do elect and the Irish Claimant should fail to prosecute his title, or a verdict or Judgement shall be given against such Irish Claimants, or the person or persons who shall derive under such Irish claimant, then shall such adventurer or Souldier, or other person or persons his or their Heirs, Executors or assigns who shall be concerned in that suit, for ever and finally hold the said Land in question, and every part thereof to him and his Heirs; but in case verdict or Judgement be given for the title of the Irish claimant, or no such election be made as aforesaid, the adventurer or Souldier or other person his or their Heirs, Executors or assigns shall be excluded from demanding or having his two third parts or any other satisfaction, which otherwise he might have had in respect of such Land so recovered as aforesaid: Nevertheless it is hereby declared that no other title shall be admitted to be alleged or given in evidence by such Irish Claimant or any Claiming under them, but such title as was alleged in the claim exhibited before the Commissioners for the Execution of the said former Act: Provided that if any secret agreement be made between the Irish Claimant and the partie concerned as aforesaid directly or indirectly, and the person so agreeing shall obtain any satisfaction for or in respect of the Lands so agreed for, that then and in such case the party so Offending shall forfeit double the value of the Lands so obtained, one Moiety to the Kings Majestie, the other Moiety to the Informer, to be recovered in like manner as other forfeitures are herein appointed to be recovered. And be it further Enacted that all and every person and persons who now have any grants or Patents of any Lands, Tenements or Hereditaments, or of any titles of honour or dignity, or of any annuity, pension, Office or employment within this Kingdom, not already enrolled, do cause the same to be enrolled in the Chancery of Ireland within the space of two years next after the Royal assent to this Bill shall be given under pain of forfeiture of two years value of any Lands, Tenements, Annuitites, Pensions or Offices whereof the Patents shall not be enrolled as aforesaid, one Moiety to the Kings Majestie, his Heirs and Successors, the other Moiety to him or them that shall and will sue for the same to be recovered by action of Debt, Bill, Plaint or information in any Court of Record, whereunto they shall, protection or waiver of Law, to be allowed, or any more then one imparance, and that all and every person and persons having any Patents touching or

adventurers and Souldiers within three months after sitting of the Commissioners, must declare whether they will abide or part with the Lands,

if any secret agreement to forfeit double.

Letters Patents to be enrolled.

concerning any title of honour or dignity not already enrolled or to be enrolled within the time aforesaid, shall forfeit and loose the sum of one 100. pounds Sterling, one Moiety thereof to the Kings Majesty, his Heirs and Successors, the other moiety to him or them that shall and will sue for the same to be recovered as aforesaid.

by a certain
time

proviso for
Elizabeth
Countess
of Guilford.

And it is further enacted by the authority aforesaid, that all Letters Patents hereafter to be granted of any titles of honour, Offices or Lands whatsoever, shall containe in the same Letters Patents, a clause requiring and compelling the said Patentes to cause the said Letters Patents to be enrolled in the Chancery of Ireland within a time therein to be limited, and all Letters Patents wherein such clause shall be omitted, are declared to be utterly voyd and of no effect: Provided alwayes and be it Enacted that nothing in this or the said former Act contained, shall extend to prejudice or alter the right, title or interest which Elizabeth Countess of Guilford hath or ought to have in the Mannors, Castles, Towns, Villages, Messuages, Lands, Tenements or hereditaments lying or being in the County of Cork, and now in the actual possession of her the said Countess or her Assignes, as the jointure or Dowry of her the said Countess the relict of the late Lord Vice Count Kynalmeaky, but that the same be possessed and enjoyed by her the said Countess and her Assignes in the same state and condition and no other, as she held and enjoyed the same before the first sitting of this present Parliament, any thing in this or the said former Act to the contrary notwithstanding.

For Charles
Lord Vice-
count Fitz
Harding

And be it further Enacted by the Authority aforesaid That Charles Lord Vicecount Fitz Harding Treasurer, of his Majesties House-hold, shall hold and enjoy to him and his Heirs all and singular the Lands, Tenements and Hereditaments lately granted or mentioned to be granted unto Charles late Lord Vicecount Fitz Harding, afterwards Earl of Falmouth, and his heirs, in and by certaine Letters Patents thereof passed under the Great Seal of Ireland: And it is hereby declared that the adventurers and Souldiers and Protestant purchasers of Lands in Connaght and Clare, their Heirs and Assignes who shall be thence removed, shall be satisfied his and their two third parts in like manner as any other Adventurer or Souldier ought to be satisfied by the rules of this Act: Provided alwayes that if his Majesty shall at any time within the space of two years next and immediately ensuing, pay or cause to be paid unto the said Charles Lord Vicecount Fitz Harding, his heirs or Assignes, the sum of 20000. pounds at or in the middle Temple Hall in London upon notice thereof first given to the said Charles Lord Vicecount Fitz Harding, and his heirs by the space of one week before such payment, then all and singular the Lands in the said Letters Patents mentioned, shall returne to and remaine in his Majesty, his heirs and Successors, to the uses of this Act, and that until the whole sum of 20000. shall be paid & satisfied as aforesaid, it shall & may be lawfull to, and for the said Charles Lord Vicecount Fitz Harding and his heirs, to retaine & keep possession of the premises, and the profits thereof to receive and convert to his and their owne use without any account to be therefore made, any thing herein before to the contrary notwithstanding.

Lewis Lord
Vicecount
Clanmalt-
ras & State

And whereas Lewis Lord Vicecount Clanmaltiras being but tenant in tail of certain Lands in Ireland, exhibited his claim before the Commissioners for Execution of the said former Act, but the same remained undetermined, and no other claime was exhibited by any other person to any part of the lands of the said Lewis Lord Vicecount Clanmaltiras,

lira, either in possession or reversion or remainder, except only the claim ^{giben to} of Sir Henry Bennet Knight, now Lord Arlington, ^{Henry L.} His Majesties pri-
 cipal Secretary of State, to the reversion thereof in fee, being grant-
 ed to him the said Sir Henry Bennet now Lord Arlington, by his Maje-
 sties Letters Patents bearing date the fifth day of November in the 14.
 year of his Majesties Reign, which claim was by the said Commis-
 sioners allowed, in so much that the Estate and Interest of such Adventu-
 rers and Souldiers who were formerly planted thereupon are become
 very doubtful, and that as at the best they were not to continue longer
 then during the said estate tail, so now it may be doubted in law whether
 they be of any continuance at all, and whether the said Estate tail be
 not extinct in law by the forfeiture of the said Lord Clanmalira, whose
 claim of innocence hath not been allowed, & so by consequence the re-
 version granted to Sir Henry Bennet, now Lord Arlington as afore-
 said, come to take effect in present possession. Be it further Enacted by
 the Authority aforesaid, That the said Sir Henry Bennet, now Lord
 Arlington, shall and may enter into and upon, and shall have, hold and
 enjoy to him and his Heirs, all and singular the Messuages, Mannors,
 Lands, Tenements and Hereditaments, whereof Lewis Lord Vice-
 Count Clanmalira, or any other person in trust for him was seized, or
 possessed 22. of October, 1641, in as full and ample manner as the said
 Sir Henry Bennet now Lord Arlington might have held or enjoyed
 the same by vertue of the said Letters Patents, in case the said estate
 tail had been spent or expired, or otherwise determined or extinguished,
 which said Letters Patents, and all and every the clauses therein con-
 tained, are hereby confirmed and declared to be good, valid and effe-
 ctual in law to all intents and purposes; and that all and every the ad-
 venturers and Souldiers, their Heirs, Executors, Assignee, or Assignes
 who are to be removed in order to the quiet and peaceable possession of
 the said Sir Henry Bennet now Lord Arlington, shall be satisfied
 their full two third parts respectively in like order and manner, to
 and with other Adventurers and Souldiers, any clause, matter or thing
 in this or the said former Act contained to the contrary in any wise
 notwithstanding.

And Whereas Francis Lord Aungier, in and by the said former
 Act was intituled unto some part of the premises amounting to the va-
 lue of 200. pounds per annum, or three abouts, which, as is alleaged,
 lyeth so intermixt with the residue of the said estate, that the same can-
 not without great inconvenience, be continued in the possession of the
 said Francis Lord Aungier in such manner as now it is held, Be it
 therefore Enacted, That the said Sir Henry Bennet now Lord
 Arlington, his heirs or Assignes, shall before the first day of January
 next ensuing, convey and assure unto the said Francis Lord Aungier,
 his heirs and Assignes, so much of the premises as Arthur Earl of
 Anglesey and Roger Earl of Orrery, or the survivor of them, shall by
 any writing under his or their hands and Seals before that time to be
 made, declare and appoint in lieu & recompence of the estate of the
 said Francis Lord Aungier, of and in the premises, and in default of
 such Declaration and appointment, or of the performance thereof, the
 said Francis Lord Aungier shall hold and enjoy to him and his heirs, the
 Messuages, Lands and Tenements whereof he is now in possession,
 and to which he stands intituled by the said former Act, according to
 the tenor thereof, any thing in this present Act contained to the contra-
 ry notwithstanding.

And be it further Enacted by the authority aforesaid, That there
 S L L L L shall

A clause for
 Francis
 L Aungier

Whome
Registers
Office is

Sir John
Percival
Register
During his
Life

shall be, and is hereby constituted and erected an Office or place of Register to the Commissioners for execution of this Act, who shall take care that due entries be made of all Retrenchments of any third part, or other proportion of Lands to be cut off from any Adventurer or Soldier, their heirs and Assignes, and the valuations thereof, and of all Decrees, and certificates to be made by the Commissioners for Execution of this Act, and of all other the proceedings in order to the service of this Act, which are fit and proper to be registered, and that the said Office, or place shall be held by Sir John Percival Baronet, during his naturall life, to be exercised by himself, or his sufficient Deputy, and that the said Sir John Percival by himself, or his Deputy shall be, and is hereby impowred, and required to have the care and custody of all claims, certificates, plots, surveys, (except such as relate to the Office, and imployment of the Surveyor General) Deventures, Duplicates, Entries, and copies of them, Returns of Commissioners, Valuations, Examinations, Affidavits, Reports, Rolls and all other publique Books, Papers, writings and Records whatsoever, which any the Commissioners, or Sub-Commissioners for the service of this Act, shall use in such Office, or place wherein they sit, and which shall be dependant on the said service or relating thereunto; and all persons who have any of the like Books or Papers aforesaid, which have been used in or towards the Execution of the said former Act, shall forthwith deliver the same, or cause the same to be delivered to Sir John Percival: And to the end that no fraud or deceit may be used herein, nor any of the said writings, or Records be imbeizled the Lord Lieutenant, or ther chief Governour or Governours of Ireland for the time being, & the Council there, shall have power to send for any person or persons, whom they shall suspect to have any of the writings or Records aforesaid, and to examine him or them upon his or their Oathes touching the same, and to commit to prison such person or persons as shall refuse to be examined, or being examined shall refuse to deliver such Books, papers, and Records relating to the service of the said former Act, as shall appear to be in his or their hands, or which they can come by: And further the said Sir John Percival by himself, or his Deputy, & by such under Clerks for which he will be responsible, shall from time to time attend such Commissioners, and transcribe, Copy, Prepare, Register, Enter, Draw up, and enrol, or cause to be transcribed, Copied, Prepared, Registered, Entred, Drawn up and enrolled all and every the Decrees, Judgements, Orders, Warrants, Summons, Injunctions, Reports, and certificates of any of the Commissioners, or Sub-Commissioners, for Execution of the said former Act, not already enrolled or entred, or of any the Commissioners, or Sub-Commissioners for the service of this Act for the time to come, and shall also Act and do, or cause to be Acted and done all and every the matters, and things which doe or may any way concern the Office of Register, or other the premisses as fully and amply as any Register or Registers to the Commissioners for Execution of the said former Act, and his and their Clerks did or ought to have done, he and they taking therefore such fees onely and no other, as by the Lord Lieutenant or other chief Governour and Governours of Ireland for the time being shall be held reasonable, which fees he and they are hereby enabled to receive and recover accordingly: And it is hereby declared and enacted, That the said Sir John Percival, shall yearly and every year during the Execution of this and the former Act, account for and pay unto the Lord Lieutenant, or other chief Governour and Governours of

of Ireland, one full third part of the cleer annual profits of the said Office, the necessary charges to be expended in and about the Execution thereof being first deducted, and the said Lord Lieutenant, or other chief Governour or Governours of Ireland, are hereby required to cause all the moneys so as aforesaid, received, to be issued out and paid from time to time to such person or persons as his Majestie already hath appointed or hereafter shall appoint: And it is further declared, That an acquittance or receipt signed with the sign manual of the said Lord Lieutenant, or other chief Governour or Governours of Ireland, shall be for so much as is therein contained, a sufficient discharge unto the said Sir John Percival, his heirs, Executors and Administrators, and every of them, And for the more just regulation of proceedings in this Office, the Commissioners for Execution of this Act, are hereby impowered and required to Administer an Oath to the said Sir John Percival, & all others who shall be employed in any ministerial Office or Employment relating to the service of this Act in these words following; You shall swear that you shall well and truly execute the place

Register
and other
ministerial
Officers
Oath.

according to the best of your skill and knowledg, and therein you shall spare no person for favour and affection, nor any person grieve for hatred or ill will, so help you God.

And whereas there is one clause contained in the said former Act in these words following, And for the better prevention of all future Rebellions, and to the end our good Subjects of Ireland, may be likewise secured against all insurrections or attempts for the time to come, and the said Kingdom be the better planted and improved, Be it further enacted by the Authority aforesaid, that it shall and may be lawfull to and for the Lord Lieutenant, or other chief Governour or Governours and Council of Ireland for the time being, from time to time and at all times hereafter, during the space of 7 years to be accompted from the 1. day of May 1665. to make and establish such rules, orders, and directions for the better planting with Protestants, the Lands by this Act vested in his Majestie & not appointed to be restored to innocent persons. And for the better regulation of Cities, walled Towns and Corporations, and the electing of Magistrates and Officers there, and to inflict such penalties for the breach thereof, as they in their wisdom shall think fit, so as the penalties for breach of the Rules of plantation do not extend further than to treble the Quit-rents due for the Lands which shall be planted otherwise than those rules shall direct, the said penalties to continue, and be yearly paid to the King, His Heirs and Successors, till the said Rules of plantation be performed, and thenceforth the rent by this Act reserved to be onely payable, and so as the penalty for breach of the rules to be made touching Corporations, do not extend further than to the removall or disfranchisement of such persons as shall be found guilty of the breach thereof, which Rules, Orders and directions so as aforesaid to be made, shall be as good and effectuell in Law, to all intents and purposes, as if the same had been established by authority of this present Parliament, and shall remain, continue and abide in force for such and so long time as in & by the said Rules, Orders and directions shall be limited and appointed.

Rules and
Orders to
be made for
better plant-
ing the land
with
Protestants

Rules for
Corporati-
ons to be
made with-
in 7. years
from May
1665.

And whereas some doubt doth arise whether the Lord Lieutenant, Chief Governour or Governours and Council of Ireland for the time being, may make and establish Rules, Orders and directions for the better regulating of such Cities, walled Towns and Corporations as have been anciently incorporated, or onely for the better regulating

§§§§§§ 2

such

such corporations as shall or may hereafter be created according to the Tenor and purport of his Majesties Gracious Declaration for the Settlement of his Kingdom of Ireland, and satisfaction of the severall interests of adventurers, Souldiers and other his Majesties subjects there: for the clearing whereof, Be it further Enacted, and it is hereby declared & enacted by the Kings most excellent Majesty, by & with the advice and consent of the Lords Spiritual and Temporall and the Commons in this present Parliament assembled, and by the authority of the same, that it shall and may be lawfull to and for the Lord Lieutenant or other chief Gouverneur or Gouvernours & Council of Ireland for the time being, from time to time, and at all times to come, during the space of seven years to be accompted from the 29. day of September 1665. to make and establish such Rules, Orders and Directions for the better regulating of all Cities, Walled Towns and Corporations both new and old, and such as shall be created within this Kingdom, and the electing of Magistrates and Officers there, and to inflict such penalties for the breach thereof, as they in their wisdom shall think fit, so as the penalties for breach of the Rules, Orders and Directions to be made touching such Corporations, do not extend further than to the removall and disfranchisement of such persons as shall be found guilty of the breach thereof, and such Rules, Orders and Directions so to be made as aforesaid shall be as good & effectual in law to all intents and purposes as if the same had been specially & particularly established by Authority of this present Parliament, and shall remain, continue and abide in force for such and so long time as in the said Rules, Orders and Directions shall be limited and appointed, any thing in the said Act or otherwise to the contrary therof in any wise notwithstanding.

49. Officers
and Con-
naught
purchasers
shall pay to
wards
publique
charge.

And whereas the Officers and Souldiers who served in Ireland; since the fifth of June 1649. & the Connaught purchasers for the better furtherance and management of their common interest, have by their humble address represented the necessity of raising of monies and supplicated leave for so doing, as was formerly granted to the Adventurers and their Assigns in the like case, and least some of the said Officers and Souldiers or some of their respective Assignes may prove to be refractory in paying & allowing their just proportions of money for the said ends and for defraying of the publique charge there about, it being nevertheless very expedient that a service of such a publique and Common advantage should be equally born by all persons concerned therein, Be it therefore enacted by the authority aforesaid, that the said Officers and souldiers, and Connaught purchasers, their heirs and Assignes shall allow, satisfy and pay such sum and summs of money, as Arthur Earl of Anglesey, Roger Earl of Orrery, the Lord Vice Count Conway, Lord Kingston, Sir John Skeffington Baronet, Sir Thomas Clarges Knight, Sir Thomas Stanley Knight, Sir Richard Kerle, Sir William Petty, Doctor Robert Gorges, Henry Nicoll, John Brett, and Miles Cooke Esq. or any three or more of them meeting at Dublin the first Thursday in Hillary Term 1655. or any other Term after at the four Courts in Dublin, between two and five of the Clock in the afternoon, shall think fit and assess, which said sum or summs so to be assessed and raised, shall not exceed two pence for every profitable Acre, which shall be by virtue of this Act confirmed unto them, their heirs and assignes now in their possessions, or at any time hereafter shall be confirmed upon them respectively, and shall be paid unto the Receivers herein after mentioned, and shall be disposed by

not to ex-
ceed 2.
pence per
Acre.

by them or any three or more of them, for and toward the end aforesaid, and not otherwise: Provided always that of the three there be always one of the Peers, and two of the Commissioners before specified, and for default of payment of any sum or sums so assessed, it shall and may be lawful to and for the persons aforesaid, or any three or more of them, or such other person or persons as they shall direct and appoint, to levy by distress and Sale of the Goods and Chattels of such person or persons so making default, double the sum that shall be upon him or them assessed, and in arrears, rendering the overplus to the partie distrained.

And whereas amongst several Bills certified, and transmitted under the Great Seal of Ireland, unto his Majestie in his high Court of Chancery in England, by a certificate bearing date at Dublin the 13. day of May, in the sixteenth year of his Majesties Raign, a Bill is transmitted, intituled, an Act for settling of Certain Lands of Erasmus Smith Esq; for Charitable uses, Be it further enacted by the authority aforesaid, That all the Lands, Tenements and hereditaments in the said Bill mentioned, and thereby intended to be disposed for Charitable uses and not already Decreed away by the Commissioners for Execution of the said former Act, shall be continued and applyed unto, and preserved intirely for such pious and charitable uses, and that the Commissioners for Execution of this Act, shall not allot, or distribute the said Lands, or any part thereof, or suffer the same to be allotted, or distributed to any Adventurer or Soldier in pursuance of this Act; And where any of the lands set out by the said Erasmus Smith to pious or Charitable uses have been evicted, recovered, or charged by any Decrees which are confirmed by this Act, the Commissioners for Execution of this Act shall cause a like quantity of forfeited and profitable Acres within the County of Louth, if so much can there be found, or otherwise elsewhere, to be set out and allotted to the same pious uses, as may be sufficient to recompence the loss which hath hapned by such Decrees as aforesaid, any thing in this or the said former Act to the contrary notwithstanding. And whereas several Lands and Tenements in the County of Tipperary, heretofore in the possession of Erasmus Smith, upon the Seventh day of May 1659. and claimed by him as an Adventurer, according to the rules of his Majesties late Gracious Declaration and the said former Act, were after the said Declaration, and before the passing of the said Act granted by his Majesties Letters Patents unto Sir John Stephens and his Heirs as Lands concealed, which grant neverthelesse might at any time by the rules of the said former Act, have been revoked by his Majestie, if his Majestie had not been pleased since the passing of the said Act, to release his power of Revocation, by reason whereof great suits and controversies are likely to arise between the said Erasmus Smith, and the said Sir John Stephens, and such as do or may hereafter claim under them respectively, to the end therefore that speedy right, and justice may be done, and the said controversies appeased, and determined, Be it Enacted by the authority aforesaid, That the Commissioners for execution of this Act, shall examine the right and title of the said Erasmus Smith, and of the said Sir John Stephens, in and to the said lands and Tenements, and if they shall find that the said Erasmus Smith, or those under whom he claims, were on the Seventh of May, 1659. seized or possess of all, or any the said lands, as an Adventurer or Adventurers, or as the heir or Assignee of any Adventurer, then they shall forthwith restore the possession to the said Erasmus Smith, to be held

A Clause
for Lands
of Erasmus
Smith for
pious uses

T t t t t t

by

by him, and his heirs and assigns in like manner and proportion as other Adventurers ought to enjoy their several and respective proportions according to this Act, in which case the said Erasmus Smith, is hereby enabled to sue for, and recover the Measne profit thereof received, but if they shall find the said lands to have been held by the said Erasmus Smith without any such title as aforesaid, and that the same were concealed from his Majestie at the time of the passing of the said Letters Patents, then they shall adjudge the said Lands, or so much thereof as they shall find to be so concealed, to Sir John Stephens and his Heirs to be held by him and his Heirs according to the tenor of his said Letters Patents, and such judgements and Decree as the said Commissioners shall make touching the premisses shall be, and is hereby made concluding to the said Erasmus Smith, and the said Sir John Stephens, their Heirs and Assigns, any thing in the said Letters Patents or in the said former Act contained to the contrary notwithstanding.

A Clause for
William
Moutgo-
mery Esq;

And whereas William Moutgomery of Rosemount in the county of Down Esq; did purchase of several persons certain Debentures which were due for service done in Ireland since the fifth of June 1649. and placed the same in and upon the purchase of a part of his own Estate called or known by the name of the Mannor of Florida in the County aforesaid, then set out or set apart by reason of or upon account of the said late Rebellion or war, since which time the said William Moutgomery hath by the Commissioners for the Execution of the said former Act, been declared and adjudged an innocent Protestant, and thereupon the said Mannor of Florida, together with the rest of the Estate of the said William Moutgomery hath been decreed unto him, by reason whereof the Debentures so purchased and placed thereupon as aforesaid do remain wholly unsatisfied, Be it therefore Enacted by the authority aforesaid, That the Commissioners for execution of this Act shall set out or cause to be set out unto the said William Moutgomery so much forfeited Land as may be sufficient to satisfy the said Debentures in like manner and form, and according to such Rates and proportions as any other like Debentures ought by the Rules of this Act to be satisfied as fully and amply as any other purchaser or Assignee of the said Debentures ought to have been satisfied in case the same had been placed on the said Mannor so evicted or decreed as aforesaid.

For Colonel
John Fitz
Patrick.

And whereas in and by a certaine Clause in the said former Act, Colonel John Fitz Patrick of Castle-Town in the Queens County, is restored in blood, and also restored unto and vested in the real and actual possession and seizin to him and his Heirs, of all and every the Castles, Mannors, Lands, Tenements, and Hereditaments, reversions, remainders and Leases, whereof the said Colonel John Fitz Patrick or his Father or any other in trust for them, or either of them, or to their use, were at any time before the two and twentieth of October 1641. Lawfully seized or possessed, upon which words Seized or possessed some doubt or question in law may arise how far the said clause may avail the said Colonel Fitz Patrick, by reason that a certaine Office or Inquisition was found in the 19. year of King James, by which his Majestie is or may be intituled or pretended to be intituled to the whole Territory of Upper Ossery, within which place the Lands intended to be restored to the said Colonel John Fitz Patrick do lye, and so by consequence the seizin and possession thereof, which was in the said Colonel John Fitz Patricks Grandfather at the time of the said Office

Office of Inquisition found, may be from the said 19. year of King James, conceived to have been in the Kings Majestie, and not in the said Colonel Fitz Patricks Grandfather, or any other in trust for him, although he or some of them were then in the Actual possession and occupation thereof, and received the profits, Be it therefore Enacted and explained by the authority aforesaid, that the said Colonel John Fitz Patrick shall hold and enjoy to him and his Heirs the full benefit of the clause and provisoe in the said former Act contained, the said Office of Inquisition or any other matter or thing in the said former Act or this present Act to the contrary notwithstanding.

And it is hereby declared and Enacted, that all and every the Adventurers and Souldiers, their Heirs and Assigns to whom any Lands or Tenements in the Queens County, were set out and allotted, and whereof they were posselt the seventh of May, 1659. the Lands of the said John Fitz Patrick excepted, shall hold and enjoy such part of the said Lands and Tenements as will be due to them by the Rules of this Act, the said Office of Inquisition in the 19. year of King James to the contrary notwithstanding: Provided always that all and singular the Clauses in the said former Act contained, wherein or whereby any Mannors, Lands, Tenements or Hereditaments are granted to or bestowed in Theobald Earl of Carlingford, or whereby any other benefit or advantage can or may accrue unto the said Earl of Carlingford, shall be and are hereby again confirmed, and shall be enjoyed by the said Earl of Carlingford, in as full and ample manner as in the said Act is contained, any retrenchment, change or other alteration thereof made by the Lord Lieutenant and Council of Ireland, and any other clause, matter or thing in the said former Act, or this present Act contained to the contrary thereof in any wise notwithstanding.

Provided alwayes & it is hereby declared & enacted, That Sir Richard Ingoldsby Knight of the Bath, and Sir Henry Ingoldsby Baronet, shall hold and enjoy to them and their Heirs all and singular the Lands within and contiguous to the Mile-line in the County of Clare, which were set out to them or either of them, in satisfaction of fifteen hundred and fifteen pounds eleven shillings two pence, with their Houses and Gardens in Limerick, and also all and every their Lands of which they or either of them were possessed by themselves or their Tenants the seventh of May 1659. such part of the Premises onely excepted, as have been Decreed away by the Commissioners for execution of the said former Act, any thing in this or the said former Act contained to the contrary notwithstanding.

And Whereas Captain Henry Finch, Late of Londonderry, deceased, in pursuance of a Commission from Sir William Parsons, and Sir John Birlacy, sometimes Lords Justices of Ireland, did in the Month of November, 1641. levy and Arm a Company of Foot consisting of 100. Men besides Officers in the County of the City of Londonderry, and maintained the said Company for three years at his own charges, and continued in the command of the said Company against the Rebels from the month of November, 1641. until the month of October, 1648. and was then disbanded without receiving any the least satisfaction, & yet nevertheless the arrears due to the said Henry Finch, for his service before the fifth of June, 1649. have not been call up, nor stated by the Commissioners for Execution of the said former Act, partly by reason of some doubt conceived that the said Company was not upon the establishment of the Ulster Army; Whereas in truth the said Company was received into the said establishment,

C t t t t t t 2

though

Proviso for
Theobald
Earl of
Carlingford

For Sir.
Richard
Ingoldsby
and Sir
Henry In-
goldsby.

Administra-
tors of Hen-
ry Finch
to be satis-
fied their
40. arrears.

though the Order whereby the same should be made appear could not then be produced, and partly by reason of other accidents, Be it therefore Enacted by the Authority aforesaid, That the Commissioners for Execution of this Act, shall forthwith and before any distribution made of the Houses, Lands, Tenements, Hereditaments or summs of money herein before appointed for the security and satisfaction of such Commissioned Officers as served before the fifth of June 1649. call up, and state the arrears which were due to the said Henry Finch Deceased, for the service aforesaid, and that after the arrears so stated, William Finch and Henry Finch, Sons and administrators of the said Henry Finch Deceased, shall be satisfied and paid, and are hereby Enabled to demand, and receive satisfaction equally and proportionably, having respect to the arrears stated, and in like manner as any other Commissioned Officer who served before the fifth of June, 1649. and whose arrears are stated and allowed by the Commissioners for Execution of the said former Act, may or ought to be satisfied, & as fully and amply as if the arrears which were due to the said Henry Finch Deceased, had been stated and allowed within the time limited by the said former Act, any thing in the said former Act, or this present Act, contained to the contrary notwithstanding.

Earl of
Barrimore
and James
Barry Esq;

Agmondisham
Put.
champ Esq;

Sir.
Alexander
Keith Knight

Major
John
Symmes.

Colonel Ro-
bert Brough
ton and
Major Jo-
suah Cooper.

And whereas Alice Countess Dowager of Barrimore, would have been lawfully intitled unto the payment of and satisfaction for the several and respective arrears which were due unto David late Earl of Barrimore her Husband, and to James Barry her son deceased, as Commissioned Officers, for service done in Ireland before the fifth of June, 1649. if the same had been duly stated and allowed within the time limited by the said former Act; And whereas also Penny Muschamp Esq; would have been lawfully intitled to the payment of and satisfaction for the Arrears which were due to Agmondisham Muschamp Esq; his deceased father as Lieutenant of the Ordnance in Munster, & a Commissioned Officer for service done in Ireland before the fifth of June, 1649. if the same had been duly stated and allowed within the time limited by the said former Act; And whereas also Sir Alexander Keith Knight would have been lawfully intitled to the payment of & satisfaction for the Arrears due to Lieutenant Colonel George Keith as a Commissioned Officer for service done in Ireland before the fifth of June 1649, if the same had been stated and allowed within the time limited as aforesaid; And whereas also Captain John Annesley served in Ireland as a Commissioned Officer before the fifth of June, 1649. and ought to be satisfied and paid the Arrears due to him for such service, if the same had been timely stated and allowed as aforesaid; And whereas also Margery Symmes the relict of Major John Symmes would have been lawfully intitled to the payment of and satisfaction for the Arrears which were due to the said Major John Symmes her deceased Husband as a Commissioned Officer for service done in Ireland before the fifth of June, 1649. if the same had been duly stated and allowed within the time limited by the said former Act; And whereas also Colonel Robert Broughton and Widow Cooper, late wife of Josuah Cooper, Major in Sir Foulke Hunkes Regiment, would have been lawfully intitled to the payment of, and satisfaction for the Arrears which were due to them the said Robert Broughton and Josuah Cooper for service done in Ireland, before the fifth of June, 1649. that is to say, from the 24. of May 1642. until the 26. of January, 1643. if the same had been duly stated so far, and allowed within the time limited by the said Act; And whereas

Horatio

Horatio Woodhouse, Brother and Administrator of Sir Michael Woodhouse, would have been lawfully intituled unto the payment of a satisfaction for the arrears which were due to him the said Sir Michael Woodhouse, for service done in Ireland, as a Commissioned Officer before the fifth of June, 1649. if the same had been duly stated and allowed within the time limited by the said Act, which several arrears could not be stated or allowed within the time limited by the said former Act for stating arrears, by reason that the Commissioners for Execution of the said former Act, was straitened in time when they entered upon that worke, & by reason of some other accidents which did intervene, Be it further Enacted by the authority aforesaid, that the Commissioners for Execution of this Act, shall forthwith and before any distribution made of the Securities set apart for the satisfaction of the Commissioned Officers who served before the fifth of June, 1649. call up and state the respective arrears which were due to David late Earl of Barrymore, James Barry, Agmondisham Muschamp, and Lieutenant Colonel George Keith, and Captain John Annesly, Major John Symmes, Colonel Robert Broughton, and Josuah Cooper, & Sir Michael Woodhouse, for service as aforesaid, & after the arrears so stated, the said Alice Countess of Barrymore, Denny Muschamp, Sir Alexander Keith, Captain John Annesly, Margery Symmes, Colonel Robert Broughton and Widow Cooper, and Horatio Woodhouse, respectively shall be satisfied & paid for all & every the respective arrears to which they are mentioned to be intituled as aforesaid, as fully, amply and in like proportion and manner as any other Commissioned Officer who served before the fifth of June, 1649. ought to be, and as if the said respective arrears had been stated and allowed within the time limited by the said former Act, any thing in this or the said former Act to the contrary notwithstanding.

Provided alwayes and be it Enacted, That all & singular the Lands, Tenements and Hereditaments in the Barony of Imokelly in the County of Cork, granted or mentioned to be granted by his Majestie in and by certain Letters Patents under the great Scale of Ireland, bearing date unto Sir Henry Tint Deceased, which have not been Decreed away by the Commissioners for the Execution of the said former Act, shall be held and enjoyed by the Lady Mable Tint, relict of the said Sir Henry Tint, for and during her life, and after her Decease, by the Son and Heir of the said Sir Henry Tint, and his Heirs, during the estate granted by the said Letters Patents, and that where any of the Lands in the said Letters Patents mentioned, have been evicted or hereafter shall be evicted by virtue of any Decrees made by the said Commissioners, it shall & may be lawfull to & for the Lord Lieutenant, or other Chief Governour or Governours, & Council there for the time being, to make and Order such proportionable Defalcation of the Rent reserved in and by the said Letters Patents, as they in their judgement shall think fit, and such Order of Defalcation enrolled in his Majesties Court of Erchequer, shall be as good & effectual as if it had been Enacted by these presents, any thing in the said Letters Patents, or this Act, to the contrary notwithstanding.

Provided also and be it enacted, That Francis Lye of Rathbridge Esq; Son of John Lye Deceased, shall hold and enjoy to him & his heirs, all and singular the Lands, Tenements, and hereditaments, situate in the County of Kildare or elsewhere in the Kingdom of Ireland, granted or mentioned to be granted, in and by certain Letters Patents un-

der the Great Seal of Ireland, bearing date the tenth day of May, in the 15. year of his Majesties Reign, and not since Decreed away by the Commissioners for Execution of the said former Act, in as full and ample manner as in and by the said Letters Patents is mentioned, any thing in this or the said former Act to the contrary notwithstanding.

Nicholas L.
Vice count
Petterbill
restored to
all his
Lands after
repairs to
Edward
Smith and
others.

Impropriate
tythes ex-
cepted

L. Petter-
bill restored
in blood.

And Whereas Nicholas Lord Vice-count Petterbill who claimed an estate Taile to him & the Heirs males of his body of and in certain Lands in Ireland, was by the Commissioners for Execution of the said former Act, adjudged Poent, but the younger Brothers and Sisters of the said Lord Vice-count have by the judgement and Decree of the said Commissioners recovered their severall and respective remainders expectant upon the Death of the said Lord Vice-count without issue Male, and also their severall and respective portions, chargeable on the estate of the said Lord Vice-count, and by reason thereof were intituled to the present possession of the said estate in order to the satisfaction of their respective portions, and when the said portions should be satisfied, Edward Smith Esq; Sir Courtney Pool Baronet, and other the persons intituled to the said estate, so long as the said Lord Vice-count shall have issue male of his body, were till to continue their possession; Nevertheless his Majestie being desirous that all just interests should be provided for, and being willing to extend his mercy unto the said Nicholas Lord Vice-count Petterbill, as far as may stand with his Justice, is graciously pleased that it may be Enacted, and be it Enacted by the authority aforesaid, That the Commissioners for execution of this Act, doe forthwith set out unto the said Edward Smith Esq; Sir Courtney Pool Baronet, and other the persons intituled to the Lands of the said Lord Vice-count, their Heirs and assigns, their severall and respective two third parts, which by the rules of this Act they ought to have, and after such two third parts set out, shall restore the said Lord Vice-count Petterbill unto the possession of all and singular the Mannors, Castles, Lands, Tenements, Reversions, Remainders and all other Hereditaments, Right, Title and Interests whatsoever in the said Kingdom of Ireland, with his deceased father and Grandfather, or either of them, or any other person or persons in trust for them or either of them, or to their or either of their use or uses, or any other or others to whom he may or can derive as heir, or otherwise had, held or enjoyed, or of right ought to have held or enjoyed on the 22. of October, 1641. (Rectories and Parsonages, Impropriate and Appropriate Tythes excepted) and that the said Lord Vice-count shall hold and enjoy all and singular the Lands, Tenements and Hereditaments, so restored, according to such Estate, Right and Title as he ought to have had in the same, in case he had been adjudged innocent, and no other; and also shall be, and is hereby restored in blood to all intents and purposes, Any thing in this present Act, or the said former Act, or any other Act, Law, Statute, Ordinance, Order, Outlawry, Attainder, Record, Provision, Sequestration, Distribution, Allotment, Judgement, conviction or Decree, or any other matter, clause or thing to the contrary notwithstanding.

And because the estate, Right and Inheritance of, in and unto severall Lands, Tenements and Hereditaments is by severall clauses in this Act vested and settled in, or otherwise disposed of unto severall persons in the said severall and respective clauses particularly named and mentioned, whereby great prejudice may arise unto others, whose right was not intended to be barred or extinguished, if a timely remedy be

be not provided, Be it therefore Enacted by the authority aforesaid, That in all and every such clauses it shall be understood, and so is hereby declared, That all the right, title and interest, either in law or equity, which any person or persons, Body Politick or Corporate, their Heirs, Executors, Successors or Assignes, or any of them had on the Two and twentieth day of October 1641. or at any time since, other than his Majestie, his heirs and Successors, and those who shall or may claim by, from or under his Majestie, his heirs and Successors or any of them, by virtue of this or the said former Act, and other than such person or persons, Bodies Politick or Corporate, their Heirs, Executors, Successors and Assignes, whose right is particularly mentioned to be barred and excluded, shall be, and is hereby preserved unto them, their Heirs, Executors, Successors and Assignes respectively, as fully & amply, as if a particular saving of Rights had been annexed to and repeated in every such clause, any thing in this Act contained to the contrary notwithstanding.

A General saving unto all persons not barred particularly by this act.

And whereas in and by the said former Act, the fractions of odd pounds, shillings and pence were to be struck off & deducted out of all sums of money, Debentures, Certificats or decrees for Arrears, Adventures, Publicke Debts, Repizes, or other allowed Interests, which according to the said Act were to be ascertained, stated or settled, and the fractions of odd acres, roods and perches were also to be deducted out of the respective proportions of Lands which should be granted or settled in satisfaction of any of the aforesaid interests, so as such deductions did not exceed the 100. part of the money or lands out of which such Deductions were to be made, which Deductions were appointed to be satisfied as intirely as might be, in such convenient proportions and places as the Chief Governour or Governours of Ireland for the time being should appoint, and reserved to be disposed to such uses as his Majestie, his heirs or Successors should appoint, His Majestie is graciously pleased that it may be Enacted, and be it Enacted by the authority aforesaid, That no fractions of odd pounds, shillings or pence, or of odd acres, roods or perches or any satisfaction for the same, be at any time hereafter made or given unto his Majestie, his heirs or Successors, or unto any other person or persons claiming the benefit thereof by virtue of any Patent, Grant, or other Assignment from his Majestie, but that the same be for ever released and discharged, and that all and every the clauses in the said former Act touching and concerning the giving or reserving such fractions, and the satisfaction thereof unto his Majestie, his heirs and Successors, shall be and are hereby repealed and made void, to all intents and purposes, as if the same had never been had nor made, Any thing in this or the said former Act to the contrary notwithstanding.

Clause in the former act to abate fractions of money and acres repeated.

And whereas the survey and admeasurement of certain Lands in Ireland, was heretofore undertaken and finished by Sir William Petty Knight, upon an agreement made with the Souldiers to have for his pains one penny for every acre so surveyed and admeasured as aforesaid, whereof part hath been already paid, and some doth still remain in arrear, to the end therefore that satisfaction be made to Sir William Petty for what remains unpaid by the Souldiers, their heirs or Assigns, and for his better encouragement to finish the several Maps and Discriptions of this Kingdom, be it further Enacted by the Authority aforesaid, That the Lord Lieutenant or other Chief Governour or Governours of Ireland for the time being, with any six or more of his Majesties Privy Council, shall have power to examine

peny an acre for former admeasurement Sir William Petty to be satisfied.

how much of the said peny the acre hath been already paid, and for what lands, & how much thereof remains behind & unpaid, & to give Order or Orders, Warrant or Warrants, for the levying and receiving one peny per acre out of all the lands in the admeasurement whereof he was imployed, that have been & shall be appointed to be set out for satisfaction of arrears, out of which such acreage was agreed or ought in justice to be paid, and hath not been already paid, and to give such further encouragement to the said Sir William, for the finishing of the said Wapps, as they shall thinke fit, And that it shall and may be lawfull to and for Sir William Petty, his Executors, Administrators or Assignes, from time to time as often as any such Order or warrant shall be made to enter into all and every the Lands in such Order or warrant mentioned, and to levy the respective summs therein appointed to be paid, not exceeding one penny the acre, by distress, and sale of such distress as shall there be found belonging to the occupiers of the said Lands, returning the overplus, and whatsoever the Tenants or occupiers of the Lands shall pay, or shall otherwise be levied upon them as aforesaid, not exceeding one peny the acre, shall and may be deducted out of the rents by them respectiuely payable, and for so much they and every of them shall be, and are hereby discharged against their severall and respective Landlords.

Clause for
Wentworth
Earl of Kildare.

And because the Settlement now intended, and endeavoured to be perfected, would be very much obstructed if the Heirs or Assignes of Wentworth late Earl of Kildare, should hold and enjoy the full benefit of a certain clause in the said former Act contained, whereby the Præmption of all forfeited estates and interests held of or from Wentworth Earl of Kildare, or George Earl of Kildare, or either of them, and of all other Lands lying intermixt with the said Earl of Kildares estate, is given to the said Wentworth late Earl of Kildare, his heirs and Assignes, and further the arrears due to George Earl of Kildare for service before the fifth of June, 1649. were appointed to be satisfied in the County of Kildare, and elsewhere lying most convenient to the said Earl of Kildares estate, as the said Wentworth late Earl of Kildare, should make choice of, Be it therefore Enacted by the authority aforesaid, That so much of the said clause as concerns the præmption of forfeited estates & interests held of & intermixt with the Earl of Kildares grant as aforesaid, or appoints the satisfaction of personal arrears for service to be within the County of Kildare, or elsewhere at election as aforesaid, shall be and is hereby repealed, which arrears of the said George Earl of Kildare, now belonging to Sir James Shaen, Knight and Baronet, Administrator of the said George Earl of Kildare, are to be satisfied as in and by another clause herein after following and providing for the satisfaction of the interests of the said Sir James Shaen, is declared, & that in lieu and satisfaction of those privileges and advantages in and by the said clause given or intended to be given, the Commissioners for execution of this Act, shall forthwith set out or cause to be set out unto John now Earl of Kildare and his Heirs, so much undisposed forfeited lands as shall be of the clear yearly value of five hundred pounds per annum over and above all charges and repzises, and therein shall take care that the same may be set out as neer unto the said Earls estate, and as contiguous to the Lordship of Kilka in the County of Kildare, as the same can conveniently be done, and after such allotment and setting forth, the same shall be granted by Letters patents under the Great Seal of Ireland, unto John Earl of Kildare and the Heirs Males of his

his body, And for want of such issue to remain and be to Robert Fitz Gerald Esq; uncle of the said John Earl of Kildare and the Heirs Males of his body, and for default of such issue, to the right Heirs of Wentworth late Earl of Kildare for ever subject nevertheless to the payment, reimbursement and discharge in the first place of all such sum and sums of Money with interest for the same, as upon any contract or bargain heretofore made by the said Wentworth late Earl of Kildare, touching the benefit of the said former proviso or touching the benefit of any part thereof, have been paid unto the said late Earl or shall be paid hereafter to such Contractors, during the minority of the said John Earl of Kildare, and lyable also to such other charges and payments as shall be necessarily made and disbursed in and for the settling and securing the premises, And that the Letters Patents so as aforesaid to be granted shall be of like force and effect, as any other Letters Patents herein before appointed to be granted, are or ought to be.

Provided always and be it Enacted by the authority aforesaid, That out of the Estates of John Fitz-Gerald, John Magill and Geoffrey Fa-
 ning, before by this Act, devised in his Majesty, his Heirs and Successors, It shall and may be lawful for the Lord Lieutenant or other Chief
 Governours of Ireland, to restore unto and settle upon them and their
 Heirs respectively, such part or parts of the said respective estates, as
 they shall think fit.

Provided also and be it further enacted by the Authority aforesaid, That Sir John Stephens Knight, Governour of His Majesties Castle
 of Dublin, shall and may have, hold and enjoy to him, his Executors
 and Assignes, all and every the Lands, Tenements and Hereditaments
 in the County of Cork, which at any time were reputed to belong to
 Sir Brice Coghran, by colour of any grants or gift of the late Usurped
 powers, and which are or have been possessed by the said Sir John
 Stephens, by virtue of Letters Patents under the Great Seal or o-
 therwise for & during such time and term of years, and under such
 rents onely as in the said Letters Patents are expressed, and no other,
 so as he the said Sir John Stephens do place or cause to be placed
 upon so much of the premises as shall be found to be within the se-
 curities set apart for satisfaction of the Commissioned Officers who
 served before the fifth of June, 1649, so much of the stated arrears due
 to such Officers which are satisfiable, and for which no satisfaction
 hath yet been given as the value of the premises may amount unto,
 any thing in this or the said former Act to the contrary notwithstanding.

And be it further Enacted by the authority aforesaid, That all and
 singular the Moneys which by virtue of this or the said former Act shall
 or may grow due unto his Majesty for or in respect of the meane pro-
 fits of those Lands which have been set out & received in satisfaction
 of any arrears, for service done in England, commonly called English
 arrears, or for or in respect of the meane profits of those Lands which
 have been set out to any person or persons in satisfaction of any Adven-
 turers upon the Ordinances, commonly called the Doubling Ordinan-
 ces, or for or in respect of any other meane profits which by this Act,
 are made due and payable unto his Majesty, as being received out of
 Lands set out in satisfaction of interests not satisfiable by this or the
 said former Act, and also all and every the sums of Money now due
 unto His Majesty, which any person or persons transplanted into
 Connaught, and since restored, or hereafter to be restored to his former
 estate

in whom
disposed

estate did or might have received upon the sale of the Lands in Connaught, to which he or they were transplanted, shall be paid unto the Receivers herein after constituted and appointed, who shall account for and pay the same over unto Arthur Earl of Anglesey Vice-treasurer of Ireland, or to the Vice-treasurer of Ireland, for the time being, and that the said Arthur Earl of Anglesey, or the Vice-treasurer of Ireland, for the time being, shall thereout issue and pay these several sums following: That is to say, To M^{or}ough Earl of Inchequin, the full sum of 8000. pounds sterling, as a marke of His Majesties favourable and gracious consideration of the losses and sufferings of the said Earl; To John Lord Berkeley the sum of 4000. pounds; To Charles Lord Vice-count Fitz Harding Treasurer of His Majesties House-hold the sum of 2000. pounds; To Henry Coventrey Esq; Groom of his Majesties Bedchamber the sum of 2000. pounds, To Colonel William Legg the like sum of 2000. pounds, in full satisfaction of all the right and interest which they the said Henry Coventrey or William Legg, can or may have of, in or to any fractions of odd acres, pounds, shillings or pence in or by the said former Act reserved to his Majestie, and by this present Act released and discharged as aforesaid; To Colonel Edward Williers, the sum of 1000. pounds; To Elizabeth Terrill Wife of Sir Tymothy Terrill, the sum of 3000. pounds; To Colonel Marmaduke Darcy, the sum of 3000. pounds; To Sir Cornel Farrell, the sum of 2000. pounds; To Colonel Daniell Cresswell, Captain of His Majesties Guard of Battle Armes, the sum of 1000. pounds; Sir William Armorer, the sum of 500. pounds, Nicholas Bayly Esq; the sum of 2000. pounds; Thomas Lynch, the sum of 1000. pounds: And if any more moneys shall arise out of the premises than will be sufficient to discharge the respective summs herein before mentioned, the same shall remain in his Majesties Exchequer at Dublin, to be further applied and disposed as his Majestie being informed thereof shall direct and appoint.

Clause for
Sir Charles
Lloyd Baron
renet.

And where as the Towns and Lands of Shamaclone, Garons-bury, Garrane, Lishanacone, Ballifoukin, Ballimoran, Balliswill in the Barony of Conello & County of Limerick, & also fifteen hundred acres in Garundeny in the Barony of Slewmargye in the Queens County, were allotted to Charles Lloyd Esq; now Sir Charles Lloyd Baron: as an adventurer for lands in Ireland, the rents, issues & profits of which lands have notwithstanding by Samuel Avery & other adventurers been wrongfully received, or in the hands of the Tenants of the said lands detained, Be it therefore Enacted, & it is Enacted by this present Parliament, That the said Sir Charles Lloyd, shall have, receive and recover all & singular the rents, issues and profits of the said Lands, remaining in the hands of the respective Tenants thereof, or in the hands of their Executors or Administrators, which have grown due since the Lands were allotted as aforesaid, any thing in this present Act, or any other Act of Parliament contained to the contrary in any wise notwithstanding.

Sir Richard
Bellings
restored.

And it is hereby further Enacted and ordained by the Authority aforesaid, that the Commissioners for Execution of this Act, shall forthwith restore Sir Richard Bellings Knight, unto the present and Actual possessions of all and singular the Mannors, Castles, Lordships, Lands, Tenements, Reversions, Remainders and all other Hereditaments, interests, Conditions, powers of Redemption, right & title whatsoever in the said Kingdom of Ireland, which Sir Henry Bellings Knight, Grand-

Grandfather to the said Sir Richard Bellings, and Richard Bellings father of the said Sir Richard Bellings, or either of them, or any other person or persons in trust for them, or either of them, or to their or either of their use or uses: had, held or enjoyed, or of right ought to have held or enjoyed on the 22th day of October, 1641, and that from and after such Restitution as aforesaid, the same shall be granted by Letters Patents, and settled upon and confirmed unto the said Sir Richard Bellings, the Grandson, and his Heirs and Assignes for ever, this present or any other Act, Ordinances, Order, Wtllary, Attainder, Record, or any other matter, cause or thing to the contrary notwithstanding.

Provided always and be it Enacted by the authority aforesaid, That John Lord Kingston, shall hold and enjoy to him and his Heirs for ever, all and every the Lands, Tenements and hereditaments in the said former Act, ratified and confirmed unto him and all other the benefits and advantages of the said Act, (the Lands Decreed away by the Commissioners, & the full benefit of reprizals, and the Lands herein granted or confirmed unto Charles Lord Vice-count Fitz Harding, formerly granted to Charles late Lord Vice-count Fitz Harding Earl of Salmouth, onely excepted) as fully and amply, and with the like Confirmations, Priviledges, Immunities and exemptions as any adventurer or Souldier by this or the said former Act, may or ought to hold and enjoy any of the Lands whereof they or any of them respectibely were possessed the Seventh day of May, 1659. and as if the several clauses and provisos in the said former Act on that behalf had been in this Act, particularly recited and Enacted, and shall also have, hold and enjoy to him and his Heirs for ever, all and every the Towns, Lands, Tenements and hereditaments given, granted and confirmed, or mentioned to be given, granted and confirmed unto him in and by his Majesties Letters Patents under the Great Seal of England, bearing date at Westminster the five and twentieth day of January in the sixteenth year of his Majesties Reign, And that the said Letters Patents, and all clauses and things therein contained, shall be and are hereby ratified and confirmed, and shall be taken most beneficially to and on the behalf of him the said Lord Kingston, his heirs and Assignes according to the tenor and purport thereof to all intents and purposes, and as if the same Letters Patents and every clause therein had been in this Act fully and at large recited, and particularly Enacted: but in case the Lands in the said Letters Patents mentioned which shall be possessed and enjoyed by the said Lord Kingston, and not recovered or granted away from him by this or the said former Act, shall exceed the present cleare yearly rent of Seven hundred pounds, and two full third parts of all the Lands recovered against him the said Lord Kingston, by any Decrees herein confirmed then such overplus shall be reconveyed to such as the Commissioners for Execution of this Act, shall appoint: And be it also Enacted in case the said Lands shall not be sufficient, That then the Commissioners, or such person or persons as are or shall be appointed for execution of this Act, doe and shall forthwith cause to be set out, & delivered unto him the said Lord Kingston, his heirs and Assignes, so much more other Lands, Tenements and hereditaments in the Counties of Cork, Limerick, and Tipperary, which by virtue of this Act shall or may be Retrenched from any Adventurers, Souldiers, their Heirs, Executors or assignes, or of other forfeited lands within the said Counties, or within the Counties of Dublin, and Kildare, or some of

John Lord
Kingston to
have the
benefit of
the former
Act.

Except.

His Letters
Patents.

not to ex-
ceed 700
pounds.

them, as together with the Lands in the said Letters Patents granted or mentioned to be granted to him as aforesaid, and as shall be possessed and enjoyed by him, and not recovered or granted away from him by this or the said former Act, are of the said present clear yearly rent of 700. pounds, and as over and above the said yearly rent, are equal in value, worth and purchase unto two full third parts of all the Lands recovered against him by virtue of any Decrees herein confirmed, or that have been delivered up or parted with to William Lord Vice-count Dunganon, & others in observance of His Majesties Letters, to the end that like effectual Letters Patents may thereof also be granted unto the said John Lord Kingston and his Heirs as are herein before appointed to be granted to other Adventurers and Soldiers of respective allotments any matter or thing whatsoever in this or the said former Act, or any other Act, contained otherwise to the contrary in any wise notwithstanding, Saving unto Charles Lord Vice-count Fitz Harding and his heirs such right and title in and to any of the premises as he or they can or may claim by virtue of any Letters Patents thereof granted unto Charles late Lord Vice-count Fitz Harding, after Earl of Falmouth, by His Majestie, any thing herein before contained to the contrary notwithstanding.

Saving to
Charles L.
Vice count
Fitz Har-
ding.

Provided for
Sir John
Perciball
Baronet.

Provided always and be it further Enacted by the authority aforesaid, That Sir John Perciball Baronet, his Executors, Administrators and assigns, shall and may hold, possess and enjoy the Town and Lands of Binsale, in the County of Dublin, for the term of sixty one years from the first day of May, 1663. according to the tenor and full effect of an Indenture of Lease under the Great Seal of Ireland, to him thereof made, and under the rents, covenants and conditions thereby reserved, expressed and limited, any thing in the last precedent clause or in this present or any other Act to the contrary thereof in any wise notwithstanding.

49. Officers
not to be
prejudiced
by Lord
Kingstons
Letters
patents.

Provided also that nothing in this Act or the Letters Patents granted to the said Lord Kingston, shall enable him the said Lord Kingston, his heirs or assigns to hold or enjoy any manors, lands or tenements lying or being within the Securities set apart for satisfaction of the Commissioned officers who served before the 5. of June, 1649, unless he the said Lord Kingston, his heirs or assigns shall cause so many debentures for arrears due to the said Commissioned officers as are satisfiable by the rules of this Act to have not been satisfied in part to be placed thereupon as after the rate of 8. years purchase, may be sufficient to purchase the premises, any thing herein before contained to the contrary notwithstanding.

Daniel L.
Vice count
O Byren of
Clare re-
sized.

And be it further Enacted by the Authority aforesaid, That all and singular the messuages, castles, manors, lands, tenements and other the hereditaments whereof Sir Daniel O Byren, now Daniel Lord Vice-count O Byren, of Clare, or his Brother Tige O Byren, Esq; or Connor O Byren, Esq; Son and Heir apparent to the said Lord Vice-count O Byren, or any other person or persons whatsoever to their or any of their use, or in trust for them, or any of them, were upon the two and twentieth day of October, 1641. lawfully seized of any estate of freehold or inheritance, or possessed for any term of years yet in being, as also one stone-house in the City of Limerick (impropriations and appropriated tithes excepted) shall be by the Commissioners for Execution of this Act set out and allotted unto & placed in the present and actual possession of Daniel O Byren, Esq; Son and Heir apparent of the said Connor O Byren, and the Heirs and Executors of the said Daniel

niel O Bryen respectively, without and before any previous reprisal, any clause, matter or thing in the said former Act, or in this present Act, herein before or after contained to the contrary notwithstanding: And that the Commissioners for execution of this Act, shall grant unto the said Daniel O Bryen, such certificates as may be necessary in order to the passing of Letters Patents of the premises, and further that until such final Settlement and allotment as aforesaid, it shall and may be lawfull to and for the said Daniel O Bryen to enter upon and retaine and keep possession of the premises, and all and every the adventurers and Souldiers, Protestant purchasers of Lands in Connaught or Clare, and Commissioned Officers who served before the fifth of June, 1649. their heirs, Executors, Administrators and Assignes who shall be removed to make way for such restitution or be prejudiced thereby, shall after such restitution made be satisfied by the allotment of some other forfeited and undisposed Lands as may be equal to their several and respective two full third parts of what they depart from or may be prejudiced in according to the rules of this Act, and all and every the persons transplanted into & upon any part of the premises, their heirs and assignes shall have full satisfaction out of the forfeited Lands undisposed of to the English Protestants, as the Lord Lieutenant and Council of Ireland shall think fit, after the several interests of His Majesties Protestant Subjects in Ireland, have been fully settled and satisfied according to this Act.

Provided alwayes and it is further Enacted by the authority aforesaid, that the Commissioners for Execution of this Act, shall restore James Fleming of Staholmoock Esq; unto all the Lordships, Castles, Houses, Lands, Tenements, Rents, Reversions, Remainders, Hereditaments, Right, Title, Interest & estate whatsoever, whereof the said James Fleming, or any or others in trust for him, or to his use, were seized or possessed the three and twentieth of October 1641. And that after such Restitution, the said James Fleming shall hold and enjoy the same to him & his heirs, this Act or any other Act, record, Ordinance, Attainder, or any other matter or thing to the contrary notwithstanding.

And be it further Enacted by the authority aforesaid, That the Commissioners for Execution of this Act, shall restore unto Captain Charles Farrell, all & singular the Lands, Tenements and hereditaments in the County of Longford, whereof he the said Charles Farrell, or his father, or any other in trust for them, or either of them, were seized upon the two and twentieth day of October, 1641. or at any time since, and that after such Restitution made, the said Charles Farrell shall hold and enjoy the same to him and his heirs, Subject nevertheless to the quit-rents by this or the former Act, imposed, and lyable to all and singular the statutes, Mortgages, Debts, Charges, and all other the Acts and Incumbrances whatsoever of him the said Charles Farrell, or his father, any thing in this or the said former Act to the contrary notwithstanding.

And be it further enacted by the authority aforesaid, that the Commissioners for Execution of this Act, shall out of such forfeited Lands, as shall remain undisposed after all the English interests herein provided for, shall be satisfied, set out, & allot unto Frances Darcy Widow so much land as shall be of like yearly value, as the lands which the said Frances Darcy formerly held, or ought to have held for her jointure, to be held & enjoyed by the said Frances Darcy during her life, any thing herein contained to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That the summe of 4500 pounds due for service done in Ireland, before the 5th. of

2 yyy yyy

June

James Fleming of Staholmoock Esq; restored.

Cap: Charles Farrell restored

Frances Darcy to be satisfied her jointure after all English interests satisfied.

4500. due
40 air ars
to Arthur
Wice-count
Ranelagh
to be satis-
fied.

in trust for
the use of
Frances
Elizabeth
Jones
Daughters
of the said
Lord Rane-
laugh.

Leases not
exceeding
3. lives or
21. years
whereof the
next and
immediate
remainder
&c. apper-
taines to
any Pro-
testants, to
cease.
The title of
Laurence
Hyde Esq-
preferred.

Earl of In-
chequin re-
stored to the
estate of Cl.
Christopher
Bryen

Sum, 1649. unto Arthur Lord Wice-count Ranelagh, by Debentures already stated and allowed by the Commissioners for Execution of the said former Act, shall be paid and satisfied out of the securities thereunto lyable by this present Act, unto Richard Earl of Burlington and Cork, Lord high Treasurer of Ireland, Arthur Earl of Anglesey, Roger Earl of Orerery, and Sir John Skeffington Baronet, and the Survivors and Survivor of them, and that they and the Survivors and Survivor of them, and the Heirs of the Survivor, shall have, hold, receive and enjoy to his and their Heirs, all and singular the Mannors, Lands, Tenements and Hereditaments, and all other the satisfaction whatsoever, or of what nature or kind soever which shall or may be hereafter appointed, allotted or otherwayes set out and Assigned for the satisfaction of the said 4500 pounds: Nevertheless in trust to and for the onely use, benefit and advantage of Frances Jones and Elizabeth Jones Daughters of the said Arthur Lord Wice-count Ranelagh, their executors and assignes, and to and for no other use, intent or purpose whatsoever, any thing in this or the said former Act contained to the contrary notwithstanding.

Provided alwayes and be it further Enacted, that all Leases, terms and estates which upon the 23th of October, 1641, did not exceed three lives, or 31 years, and are forfeited to or vested in His Majestie, whereof or whereupon the next and immediate Reversion or Remainder, doth or shall appertain to any innocent Protestant, be and are hereby declared to be ceased, determined, null and void, any thing in this or the said former Act contained to the contrary notwithstanding.

Provided alwayes and be it Enacted, That nothing in this present Act, nor in the former Act, shall be taken or any wayes construed to weaken or make void all or any of the right, title and claim which Laurence Hyde, of Denton Dabobney, in the County of Southamton Esq- hath by vertue of any Statute-Staple, Mortgage or otherwise unto the Towns and Town Lands of Ballibenuikin, Knockanammy, and part of Chancellors-town in the Barony of Jffa, and Ossa, and the Lands of Quarter-crofs, parcel of the Town and Lands of Clare, nor unto two acres great countrey measure in Burdens-Grange in the Barony of Middlethirde, in all containing about 800 acres, lying and being in the county of Tipperary, but that it shall and may be lawfull to and for the commissioners for Execution of this Act, to examine the right and title of him the said Laurence Hyde, of, in and to the said Lands and Tenements, or to any summe of money which can or may be levied thereupon, and to make such Order and Decree for the said Laurence Hyde, or his Assigns, to hold and enjoy all and singular the premises, untill he or they shall be fully satisfied and paid the moneys to him due as aforesaid, together with what interest shall be due for the same as they shall think fit, any thing in this Act, or in any former Act to the contrary notwithstanding.

And whereas Colonel Christopher Bryen was appointed by his Majestie in his late gracious Declaration, to be restored unto his Estate, as one who in an especial manner had merited his Majesties Grace & favour, and was afterwards in pursuance of his Majesties Orders, put into possession thereof, by the Sheriff of the County of Clare, in which County the said estate doth lye, notwithstanding which if the same should be strictly examined according to the rules of the said former Act, It may be doubted whether such delivery of possession were legal, & whether the Lands so delivered do not still remain Subject to the uses of the said former Act and this present Act, & whereas the said Christo-
pher

phers O Byen is lately dead without issue, and all his Estate, Right, Title and interest descended unto and upon Morogh Earl of Inchequin his next and immediate Brother and Heir, Be it therefore Enacted by the Authority aforesaid, That the Commissioners for Execution of this Act, shall forthwith restore unto the said Morogh Earl of Inchequin & his Heirs the present & actual possession of all & singular the Castles, Houses, manors, Lands, Tenements & Hereditaments which the said Col: Christopher O Byen, or any other in trust for him or to his use, had, held or enjoyed upon the 22th day of October, 1641, or at any time since, the lands, tenements and hereditaments formerly belonging to the said Christopher O Byen, and now in the possession of Pierce Creagh, except, which are hereby granted and confirmed unto the said Pierce Creagh and his Heirs, and shall likewise set out and allot unto the said Earl of Inchequin and his Heirs so many acres more undisposed and forfeited Lands, as may be equal in quantity of acres to the said Lands held by the said Pierce Creagh, and from and after such restitution and allotment so made as aforesaid, the said Morogh Earl of Inchequin shall hold and enjoy to him and his Heirs all and singular the messuages, lands, tenements and hereditaments, so as aforesaid restored and allotted, and all and every the persons transplanted into and upon any part of the premises, their Heirs and Assignes, shall have such satisfaction out of the forfeited lands undisposed of to English Protestants, as the Lord Lieutenant and Council of Ireland, shall think fit, after the several interests of His Majesties Protestant subjects in Ireland, have been fully satisfied and settled according to this Act, any thing in this or the said former Act contained to the contrary notwithstanding.

And whereas Sir Thomas Sherlock Knight deceased, was in his life time a very dutifull and loyal Subject, and from the time of the first breaking out of the said Rebellion and Warre unto the last end thereof, behaved himself with great courage & diligence in His Majesties service, and suffered great hardships & extremities from the said Irish Rebels, by reason of such his fidelity and obedience to the Crown of England, until at last being taken prisoner by them, he was forced for fear of his life, to subscribe their Oath of association, and having so gained his Liberty did immediately fly unto Dublin, and there submitted himselfe to the now Lord Duke, then Lord Marques of Ormond, His Majesties Lord Lieutenant of Ireland, and continued there ever after serving his Majestie, and his Authority to the uttermost of his power, The consideration whereof inclined His Majestie to mention the said Sir Thomas Sherlock, in his late Gracious Declaration amongst the names of those few persons, whom his Majestie was pleased to appoint to be restored to their former estate without any further Proof of their innocency, which said Sir Thomas Sherlock was afterward by the Commissioners for Execution of the said former Act adjudged a nocent person, upon no other grounds or evidence than the enforced subscription of the oath or association as aforesaid, his Majestie therefore being very unwilling to proceed with such rigour and strictnes towards any of his good Subjects, or to suffer a Decree so severe to continue any longer in force, to the ruine of the said Sir Thomas Sherlock and his family, is graciously pleased, That it may be Enacted, and be it Enacted by the authority aforesaid, that Paul the Commisisoners for Execution of this Act, shall forthwith and without any previous reprizall restore unto Paul Sherlock Esq; sonne and Heir of the said Sir Thomas Sherlock, and his heirs the possession of

Messuage
and one
third part
of Sir John
Sherlock
his fathers
estate the
2 other
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cepted.

of the principal and capital Messuage or leat, and also one third part of all and singular the Messuages, Mannors, Lands, Tenements and Hereditaments, whereof the said Sir Thomas Sherlock, or any other person or persons in trust for him or to his use, were seized or possessed upon the two and twentieth of October, 1641, (Impropriations, and appropriate, tithes excepted) and shall also with all convenient speed restore the whole residue of the said Lands and Tenements (Impropriations, and appropriate tithes excepted) the respective Adventurers or Soldiers, their Heirs or Assignes now in possession thereof, or claiming the same, being first satisfied their respective two third parts, and for their several and respective Improvements which will be due to them by the rules of this Act, and from and after such restitution so made as aforesaid, the said Paul Sherlock shall hold & enjoy to him, his Heirs and Assigns all and singular the Lands and Tenements so restored in as full and ample manner as he or they might have done, if no such Decree had ever been had or made, any thing in this or the said former Act contained to the contrary notwithstanding.

Nicholas
Burke of
Limerick
restored,

And be it further Enacted by the Authority aforesaid, That the commissioners for execution of this Act shall restore unto Nicholas Burke of Limerick, Son and Heir of James Burke, his Heirs and Assignes the principal and capital Messuage, whereof he the said Nicholas, or his father, or any other in trust for them or either of them or to their use, were seized or possessed the two and twentieth of October, 1641. and also two thousand acres thereunto adjoining, or so much thereof as they or either of them, or any other to their use, were seized or possessed of, on the said two and twentieth of October, and that so much other forfeited and undisposed land belikewise set out and allotted unto the said Nicholas Burke and his Heirs, and within such County and Barony, as the Lord Lieutenant, or other Chief Governour and Governours of Ireland and Council there shall direct and appoint.

Robert
for Lord
Vice-count
Gormans-
ton,

And be it further Enacted by the authority aforesaid, That the Commissioners for execution of this Act, shall forthwith restore unto the Lord Vice-count Gormanshon and his heirs, all and singular the Messuages, Mannors, Lands, Tenements, Rents, Reversions, Remainders and Hereditaments to which he is not already restored by some Decree of the Commissioners for Execution of the said former Act herein confirmed, and all other the estate, Right, Title and interest whatsoever, whereof the said Lord Vice-count Gormanshon, or Nicholas late Lord Vice-count Gormanshon his father, or any other person or persons to their use or in trust for them, or either of them, were seized or possessed the two and twentieth of October, 1641. (Impropriations and appropriate tithes excepted) the Heirs or Assignes of Charles late Earl of Mountrath, now having or claiming the same being first satisfied by an allotment to them and their Heirs of so much forfeited lands, as may be equall in quantity and number of profitable acres to the lands so as aforesaid to be restored, and being also first satisfied and paid or otherwise secured for the Rents, issues and meane profits received and detained by the said Lord Vice-count Gormanshon and his Agents, since his entry on the premises, or to be received and detained until such allotment shall be made as aforesaid, according as the same shall be ascertained by the Commissioners for Execution of this Act, and at such times and in such manner as they shall appoint, and from and after such Restitution made as aforesaid, the said Lord Vice-count Gormanshon shall hold and enjoy to him, his heirs and Assignes all and singular the lands, Tenements and hereditaments so

Having for
Charles
of Moun-
trath.

forestored, this Act, or any other Act, Record, Writ, or Attainder, or any other matter or thing to the contrary notwithstanding.

And be it further Enacted by the authority aforesaid, That the Commissioners for Execution of this Act, shall forthwith restore unto John Grace of Court-stown Esq; and Colonel Richard Grace and their respective Heirs, all and singular the Messuages, lands, tenements and Hereditaments, except Improvements and appropriate tithes, and except the houses in Kilkenny, which they or either of them respectively had, held or enjoyed upon the two & twentieth of October, 1641. & which are not already restored to the said Richard Grace by some decree of the Commissioners for execution of the said former Act here- in confirmed, the respective Adventurers or Soldiers, their Heirs or Assignes now in possession thereof, or claiming the same, being first satisfied their respective charges & proportions, & for their several & respective Improvements, which will be due to them by the rules of this Act, & from & after such restitution so made as aforesaid, the said John Grace shall hold & enjoy to him & his Heirs, all & singular the Lands, Tenements & Hereditaments so to be restored, & the said Richard Grace shall hold & enjoy to him & his Heirs the Lands so to be restored, Any thing in this or the said former Act contained to the contrary notwithstanding.

Proviso for
John Grace
& Richard
Grace Esqs.

And be it further enacted by the Authority aforesaid, that the Commissioners for execution of this Act, shall forthwith restore unto Patrick Archer Merchant, all and singular the Lands, Tenements and Hereditaments which he, or any other person or persons in trust for him had, held or enjoyed upon the two and twentieth of October, 1641, the respective Adventurers or Soldiers, their Heirs or Assignes now in possession thereof, or claiming the same, being first satisfied their respective shares and proportions, and their several and respective Improvements, which will be due to them by the rules of this Act: And from and after such restitution so made as aforesaid, the said Patrick Archer shall hold and enjoy to him and his Heirs, all and singular the Lands, Tenements and Hereditaments so to be restored, Any thing in this or the said former Act contained to the contrary notwithstanding.

for Patrick
Archer
Merchant.

And whereas upon the passing of certain Letters Patents under his Majesties Great Seal of England, bearing date the eighth day of April, in the fourteenth year of his Majesties Reign, unto Richard Earl of Clanrickard and his Heirs any use was therein limited, or some other provision thereby made for the better securing unto Charles late Lord Vice-count Muskry, the sum of Ten thousand pounds by the yearly payment of 2000. pounds sterling, per annum, for and during the Term of five years next ensuing the date of the said Patents: And forasmuch as it may so fall out by reason of sundry emergent occasions, that the payments thereby secured may not be fully compleated within the said Term of five years, according to the true intent and meaning of the said Letters Patents: Be it therefore Enacted by the Authority aforesaid, That the term of five years in the said Letters Patents mentioned, shall be and is hereby enlarged unto the term of three years more next after the said five years ended and determined, and that if the several payments in and by the said Letters Patents intended to be secured, shall be made and determined within the time hereby enlarged, the same shall be as good and effectual in Law, as if they had been made within the said five years, and that in all other uses, limitations, matters and things, the said Letters Patents, and every Clause and Article therein, shall be as good and effectual

E. of Clan-
rickard hath
of 8 years
time to pay
unto
Charles L.
Vice-count
Muskry
10000. l. n.

tual in Law, and of like force and effect, as the same were before the making of this Act, any thing in this or the said former Act contained to the contrary notwithstanding.

All new ti.
the or lands
restored
shall be as
effects for
the debts
of Testator
or ancestor.

And to the end that no person or persons, who is or shall be restored or intituled unto, or confirmed in any Messuages, Mannors, Lands, Tenements or other Hereditaments by virtue of any Clause in this Act contained, or by virtue of any Letters Patents, Grant, Restitution or other Disposition or Allotment herein made, or hereafter to be made in pursuance of this Act, may by pretence of such new title avoid the payment of any just debts to which they or their respective Testators or Ancestors were or ought to have been lyable, Be it therefore Explained and Enacted by the authority aforesaid, that all and every person and persons, their Heirs and assignes having and holding or claiming to have and to hold any messuages, Mannors, Lands, Tenements and Hereditaments as aforesaid, shall be and are hereby made Subject unto, and charged with all and singular the Debts and sums of money now due and owing by them or any other person or persons whose Heirs, Executors or administrators they are, and under whom they claim their severall and respective allotments, as Heir, Executor or Administrator, whether the same Debts be due and owing by virtue of any specialty or matter of Record, and that all and every the Messuages, Lands, Tenements and Hereditaments so held and claimed as aforesaid, shall be held and accounted as Assets in Law, and are hereby declared to be Assets for and towards the satisfaction & payment of all such Debts to which the first takers thereof are in their own right, or as Heirs, Executors or Administrators of any other person or persons made lyable by this Act, any thing in this or the said former Act, or any other Law, matter or thing to the contrary notwithstanding.

Proviso for
the children
of Charles
late Earl of
Moun-
trath.

Provided always and be it further Enacted, That the Heirs or Assignes of Charles late Earl of Mountrath, shall have, hold and enjoy all such Lands, Tenements and hereditaments, which were settled upon or granted unto the said late Earl, by any Letters Patents of the late Usurped Powers, whereof he was in possession the seventh of May, 1659. except such as have been decreed or shall be by this Act, or restored unto the Irish Proprietor, for which he or they shall forthwith have the like quantity of profitable Acres set out unto him or them respectively, and that all the Lands, Tenements and Hereditaments and other the advantages by this or the said former Act, intended to be given, granted or confirmed unto the said late Earl of Mountrath, his Heirs or Assignes, shall stand and remain disposed and divided among and between the new Earl of Mountrath the relict and younger Children of the said late Earl, Subject and lyable unto such limitations, uses, debts, portions and legacies as are expressed and contained in a decree made by the Lord Lieutenant and Council, bearing date the day of October, 1663. any thing in this or the said former Act to the contrary notwithstanding.

And whereas Sir Audley Merbin Knight, Speaker of the house of Commons, Sir George Lane Knight Clerke of the house of Lords, Philip Ferneley Esq; Clerke of the House of Commons, and other the attendants on either of the said Houses, do claime certain Fees, to be due and payable to them for every Bill containing any grant or restitution of any forfeited Lands to any person or persons, Bodies Politick or Corporate, their Heirs or successors, touching the ascertaining whereof and giving due remedy for the recovering of the same, some provision was made in and by a clause in the said former Act, in which

which clause the Speaker of the House of Lords and the Clerke of the Council of Ireland are not mentioned: Be it therefore explained and Enacted by the Authority aforesaid, that the Speaker of the House of Lords and Clerk of the Council of Ireland shall be deemed and adjudged to be comprehended in the said clause, and that the said Speaker and Clerke of the Council, & Sir Audley Mervin, Sir George Lane, Philip Ferneley, and others mentioned in the said clause, contained in the said former Act, be paid by such person and persons, Bodies Politick and Corporate, their Heirs, and Successors, who receive any grant of or Settlement in any forfeited Lands, Tenements or Hereditaments by virtue of or in pursuance of this Act, or of the said former Act, not set out to them in satisfaction of Adventures or Arrears, or of purchases made in Connaught, or any restitution to any Lands, Tenements, or hereditaments the Incumbents of the several Parochial Churches excepted, such Fees, & no other as the Lord Lieutenant or other chief Governour and Governours of Ireland and Council there shall think fit and appoint, and that after the same Fees so as aforesaid ascertained, like remedy shall be given for the recovery thereof, as in and by the said former Act is provided, any thing in this or the said former Act contained to the contrary notwithstanding.

Provided always and be it enacted, That no Lease or Custodiam made or granted by the Kings Majestie unto Edward late Lord Bishop of Limerick, now Lord Bishop of Cork, Cloyne and Ross, or unto any other person or persons, of any Lands, Tenements or Hereditaments in the Baronie or Baronies of Conello, and People-Bryen in the County of Limerick, or either of them, whereof William Barker Esq; by himself, his Agents or undertenants was in possession the seventh of May, 1659. Shall any way prejudice the right title, Interest or possession of the said William Barker of, in or to the same, but that it shall and may be lawful to and for the said William Barker his Heirs or assignes, to enter into and take possession of all and singular the said Lands and Tenements in the said Baronies, or either of them whereof he was so in possession, not Deceed away by the Commissioners for execution of the said former Act, and the same to have, hold and enjoy to him the said William Barker, his Heirs and Assignes, and that the said William Barker and his heirs shall have like privilege and advantage in retaining the possession of the premises, and in retrenching the third part thereof, or placing such deficiencies thereupon as are satisfiable by the Rules of this Act, as any Adventurer or Souldier ought to have; and that the Commissioners for execution of this Act, shall proceed to give such certificates thereof in order to the passing of Letters Patents as may be necessary for the small Settlement of him the said William Barker, his Heirs and assignes, in lieu and satisfaction of his purchase of Gilbert Marshall, in as full and ample manner as he the said William Barker, his Heirs or Assignes might have held and enjoyed the same, if he the said William Barker had still continued in possession, and as if no such Lease or Custodiam had ever been made or granted, subject nevertheless to such Quit-rents, Services and payments as other Adventurers in the said County of Limerick, ought to pay and with like benefits and advantages as other adventurers ought to have by this Act: any thing in the said Custodiam or in a certaine clause for confirmation of the Patent granted to John Lord Kingston, herein mentioned, or any other matter or thing in this or the said former Act contained to the contrary notwithstanding.

William Barker to hold his adventure not standing a Custodiam granted to Edward Lord Bishop of Limerick.

Power to
raise 2 d. p.
Acre for
contingent
charges.

the treasur-
ers of the
said money.

Sir Henry
O Neill to
be restored.

John Lord
Wice count
Mallareen to
be reprieved.

And whereas it was provided by the said former Act that every of the
Adventurers whose estates were to be confirmed, should pay such sum
or sums of money as the Committee of Adventurers sitting at Grocers-
Hall London, or any five or more of them should appoint, not exceed-
ing two pence for every twenty shillings adventured, towards defray-
ing of such publique charges as would conduce to the settlement of
that interest, And whereas the same is to be leyed upon such persons
as shall make default, by distress and sale of their goods, The Genera-
lity of such persons making default, not living in this Kingdom, the
said provision hath been hitherto rendered very much fruitless, Be it
therefore Enacted by the Authority aforesaid, That for better answer-
ing of those ends, and raising the said sums, the several persons here-
after named, viz. Sir Charles Lloyd Baronet, Sir Stephen White,
William Barker Esq; Gower Esq; Ridg-
Esq; Lenthall Esq; Radcliffe, Edward
Smith Esq; or the Major part of them, or the survivors or Survivor
of them, be and are hereby Authorized to be Treasurers of the said mo-
neyes, and shall and may by Order under their hands and Seals, levy
or cause to be leyed any sum or sums of Money, that the said
Committee of Adventurers, or any seven or more of them shall think
fit and appoint, upon all and every the adventurers for Lands in Ire-
land, their lands, Tenements and hereditaments, Lessees, Tenants
or Assignes, by distress and Sale of their Goods, rendering the over-
plus to the owners, which said lessees, Tenants or assignes shall be
discharged of and may retain so much of their Rents in their hands,
as the said sum to be leyed shall amount unto, such sum or sums of
money so to be leyed, not exceeding two pence for every twenty shillings
originally paid and adventured and that shall be satisfied in lands in
this Kingdom: Provided always that neither this nor any thing herein
contained, shall extend to charge any person or persons, with any sum
or sums of money that hath been paid to any person or persons upon
the account of the two pence in the pound in the said former Act
granted, but that such person or persons who received the same, are
to stand and be chargeable with, and accountable unto the said Treasur-
ers for all the money by him or them received, and the said Treasur-
ers are to take care to imploy persons of integrity and trust, for levy-
ing and collecting the said sums under very good security for whom
they will answer, and not to dispose of any sum or sums without
order from the said Committee, or any seven or more of them, to
whom alone they are hereby made accountable.

And be it Enacted by the authority aforesaid, That the Commis-
sioners for execution of this Act, shall forthwith and without staying
for any previous reprizal, restore unto Sir Henry O Neill, his Heirs
and Assignes, all and singular the lands, Tenements and Heredita-
ments, in the county of Antrim, whereof the said Henry O Neill or
any other person in trust for him, or to his use, were or ought to have
been seized or possessed upon the two and twentieth day of October, 1641.
and that after such restitution, in lieu and satisfaction thereof, the
said Commissioners do likewise with all convenient speed set out and
allot or cause to be set out and allotted unto John Lord Wice-count
Mallareen, his heirs and assignes, so much other forfeited Lands as
may be of equall value, worth and purchase to the lands so as afore-
said to be restored out of the lands in the County of Down, or if there
shall not be found sufficient in that County, then out of other lands
to be disposed of by this Act, and that such further satisfaction be given
the

the said Lord Massareen and his heirs, as is appointed by the said former Act, and will stand with the rules of this Act, so that the said Lands may as near as may be lye contiguous, And that like effectual Letters Patents be thereof granted to the said John Lord Vice-count Massareen, his heirs and assignes as any other adventurer or souldier by the rules of this Act ought to have, any thing in this or the said former Act contained to the contrary notwithstanding.

Provided also and be it further Enacted, That the town and lands of Artain alias Tartain, with the appurtenances in the county of Dub-
lin containing by estimation 225 Acres, be they more or less, be grant-
ed, ratified and confirmed unto Sir Nicholas Armourer Kt. his exe-
cutors, administrators and assigns, according to the tenor and effect
of your Majesties Letters patents under the great Seal of Ireland,
bearing date the nineteenth day of November, in the fifteenth year of
your Majesties Reign, any thing in this, the former or any other Act,
matter or thing to the contrary notwithstanding.

Sir Nicho-
las Ar-
mourer
confirmed in
his lease
of Artain.

And be it further enacted by the authority aforesaid, That all and singular the Messuages, Mannors, Lands, Tenements and Hereditaments whereof Sir John Fitz Gerald Knight, dyed seized, and whereof Sir John Fitz Edmund Gerald Knight, the Grandchild dyed seized or possessed in the year 1640. and which were then belonging and of right appertaining to the Bishop of Cloyne and his successors, and were by the last Will & Testament of the said Sir John Fitz Edmund Gerald, and the Schedule and Codicil thereunto annexed, dated the first of September, 1640. given and bequeathed, or mentioned to be given and bequeathed to his late Majestie King Charles the first, shall be and are hereby vested and settled in the now Bishop of Cloyne and his Successors for ever, The severall rectories and impropriate tythes therein and thereby bequeathed unto his said late Majestie onely excepted, which said rectories and impropriate tythes are hereby declared to be vested and settled in and upon such of the present and future incumbents and their successors, who have or shall have actuall cure of Souls in those respective Parishes wherein such impropriations are, and such impropriate tythes do arise and renew, and in default of an actual incumbent, then in the respective persons now serving the cure and their successors, who for that end shall be and are hereby made actual incumbents and capable to take to them and their successors, and the presentation to the respective Churches, so as aforesaid endowed, shall be for ever, and the patronage thereof in the Kings Majestie, his heirs and Successors, and that all other the Lands, Tenements and Hereditaments so given and bequeathed as aforesaid, and not formerly belonging or appertaining to the Bishoprick or See of Cloyne, shall be vested and settled in his Majestie, his heirs and Successors: And whereas the right Reverend father in God Edward Lord Bishop of Corke, Cloyne and Ross, and Sir William Flower knight, have been at great pains and charges in discovering of his Majesties title to the premises, as well precedent to the forfeiture by the late Rebellion, as by reason and upon the account of the said Rebellion, Be it therefore Enacted that the Lord Lieutenant of Ireland or other Chief Governour there for the time being, do cause a Lease of so much as is hereby settled in his Majestie, to be passed under his Majesties Great Seal of Ireland, unto the said Edward Bishop of Corke, Cloyne and Ross, and Sir William Flower, their Executors and assigns for the term of one and thirty years, rendring yearly unto his Majestie, his heirs and Successors after the rate of treble such Quit-rent, as the adventurers and

the Souldiers do pay for the like proportions within the said Province of Munster, any thing in this or the said former Act contained to the contrary hereof in any wise notwithstanding: saving & reserving nevertheless to Edmund Fitz Gerald of Ballymalowe and his Heirs, all such right and title which he the said Edmund Fitz Gerald had unto the premisses or any part thereof upon the two and twentieth of October, 1641.

Clause for
Trinity
Colledge.

And be it further Enacted by the authority aforesaid, That the Commissioners for Execution of this Act, shall set out and allot unto the Probost, Fellows and Schollars of the Colledge of the holy and undivided Trinity near Dublin, the 600. Acre six Acres, two Roods and twenty six Poles English measure in the County of Tipperary, and Barony of Elioguarty, heretofore allotted to William Sheeres for his Fathers Adventure of 300. pounds, which in pursuance of a Decree in the High-court of Chancery in England, were since conveyed or mentioned to be conveyed to the said Probost, Fellows & Schollars of the Colledge of the holy and undivided Trinity near Dublin, towards the satisfaction of a charitable bequest devised to them, by Elias Travers Doctor of Divinity Deceased, And that like effectual Letters Patents shall be thereof granted unto the said Probost, Fellows and Schollars, and their Successors for ever, as any Adventurers or Souldiers by the rules of this Act ought to have, to be held by them the said Probost, Fellows and Schollars and their Successors, without any defaultation or Deduction whatsoever, Subject nevertheless to the Quit-rents by this Act imposed, any thing in this Act to the contrary in any wise notwithstanding.

Isles of Arran confirmed to Richard C. of Arran.

Whereas Richard Earl of Arran hath purchased from Erasmus Smith Esq; his interest which he had as an adventurer, in the Isles of Arran, commonly called or known by the names of the Great Island, the small East Island, and the Island of Inishmaine, Be it therefore Enacted and provided by the Authority aforesaid, That the said Isles of Arran, commonly called by the severall names aforesaid, lying & being in the half Barony of Arran, in the County of Gallway, together with all the Royalties, Mineralls, (Royal mines excepted) Fishings, profits and appurtenances whatsoever thereunto belonging, or there with enjoyed by the former Proprietors thereof, before the two and twentieth of October, 1641. be and are hereby vested in, settled upon and confirmed unto the said Richard Earl of Arran, his Heirs and assigns for ever, any thing in this Act or in the said former Act to the contrary notwithstanding: Subject nevertheless to such Quit-rent payable to his Majesty, his heirs and Successors, as other the lands lying and being in the province of Connaught allotted to Adventurers or Souldiers are lyable to.

Patrick L. of Dunlany restored to the capital messuage one third part of his estate.

Others excepted.

And be it further Enacted by the authority aforesaid, that the Commissioners for Execution of this Act, shall forthwith and without any previous reprizal, restore unto Patrick Lord Baron of Dunlany and his heirs, the possession of the principal and capital messuage or seat, and also one third part of all and singular the Castles, Lands, Tenements and hereditaments, Rents, Reversions, Remainders, Right, title, interest and estate whatsoever, which he the said Patrick Lord Baron of Dunlany, or any other person to his use or in trust for him, were seized or possessed of upon the two and twentieth of October 1641. except impropriations and appropriate tithes, And shall also with all convenient Speed restore the whole residue of the said Lands and Tenements, impropriations and appropriate tithes excepted, unto the said

said Lord Dunsany and his Heirs, the respective adventurers or soldiers, their Heirs or assignes now in possession thereof, or claiming the same, being first satisfied their respective shares and proportions, and for their several and respective improvements, which will be due to them by the rules of this Act, And from and after such restitution so made as aforesaid, the said Patrick Lord Baron of Dunsany, shall hold and enjoy to him, his Heirs and Assignes all and singular the lands and Tenements so restored, any thing in this or the former Act contained to the contrary notwithstanding.

And whereas 1000 Acres of forfeited lands in the Barony of Slane the two were heretofore set out in satisfaction of an Adventure of six hundred other parts pounds advanced by Sir William Massam Baronet Deceased, and after repai- as is alleaged was possessed accordingly until about Michaelmas in calls to ad- the year, 1658. at which time the said Sir William Massam being venturers & Dead, and the interest in the said adventurers being come unto Eliza- soldiers, beth Massam the widow and relict of William Massam Esq; Son Probis for and Heir of the said Sir William, and then Deceased also Sir Robert C: i aneth forth Knight, pretending some interest in the said lands, got posselli- Massam on thereof by an execution or executions issued upon a Judgement or Judgements in an action of Ejectment, being as is alleaged Sur- in case Sir reptitiously obtained without any due notice or legal proceedings, the Robert the said Elizabeth by reason thereof having no possession upon the Se- Forth's title- g possession berth of May, 1659. could claim no benefit of confirmation by the be had, said former Act, and it is much to be doubted whether she could demand any satisfaction as a deficient Adventurer, the Lot being once set out and enjoyed, for remedy hereof, Be it enacted by the authority aforesaid, That the Commissioners for execution of this Act, shall forthwith examin the truth of the Allegations aforesaid, and if they shall find the possession of the premises to have been wrongfully taken from the said Elizabeth Massam, they shall cause the said Elizabeth Massam to be put into possession thereof, And the said Elizabeth Massam shall hold the same to her and her Heirs as fully as any other Adventurer by this Act ought to do, until the Commissioners for execution of this Act, shall set out and allot to her and her Heirs so much thereof as they shall adjudge to amount to her proportion, And if the said Commissioners shall find the said Sir Robert Forth's title to possess the said lands to be good and valid, then they shall set forth such satisfaction of land for the said Adventure, as shall be according to the rules and proportions limited for other Adventurers by this Act, And Letters Patents shall be thereof granted to the said Elizabeth, and the said Elizabeth shall enjoy the same to her and her Heirs and Assignes accordingly any thing in this or the former Act to the contrary notwithstanding.

And whereas Captain John Wakeham, and Lieutenant Richard Clause for Wakeham, were seized or possessed before the Seventh of May 1659. Cap John Wakeham of certain lands set out to them in satisfaction of their arrears, and and were thereof put out and dispossessed before the said Seventh of Lieut Rich. May, by virtue of an extent, Be it therefore Enacted by the authority and aforesaid, That the Commissioners for execution of this Act Wakeham shall set out and allot to the said John Wakeham, and Richard Wakeham, their Heirs and Assignes so much forfeited and undisposed land, as may be equal in quantity of acres unto two full third parts of the lands whereof they were so possess, as fully and amply as if they had been thereof possess upon the Seventh of May 1659. any thing in this or the former Act contained to the contrary notwithstanding.

A a a a a a 2.

And

James
Reynolds
Esq;
in seized,

after satisf-
action to
adventurers
or soldiers
in possession

Nothing to
bar the title
his Heir
ship hath o
the Estate
of Con O
Kourke.

Mary Cogh-
lan to be
satisfied for
Jointure af-
ter all Eng.
Interests.

the like
clause for
Anne Lady
Dowager of
Slane.

John Talbot
of Malahide
Esq; restored

Assignes of
Susanna
Bastwick
first to be sa-
tisfied.

And be it further Enacted by the authority aforesaid, That the Com-
missioners for execution of this Act, shall restore unto James Reynolds
of Leeghscurr in the county of Leitrim Esq; and his heirs the possession
of all and singular the Lands, Tenements and Hereditaments which
the Father of the said James Reynolds or any other person to his use or
in trust for him, were seized or possessed upon the two and twentieth of
October 1641. or at any time since the respective adventurers or
Soldiers, their Heirs or assigns now in possession thereof, or claim-
ing the same, being first satisfied their respective shares and proportions
and for their severall and respective improvements which will be to
them by the rules of this Act, and from and after such restitution so
made as aforesaid, the said James Reynolds shall hold and enjoy to
him, his heirs and assigns all and singular the Lands and Tenements
so restored, any thing in this or the former Act contained to the con-
trary notwithstanding.

And be it further explained and enacted by the authority aforesaid,
That nothing in this or the said former Act contained shall any way
attend to Barr any right or title of Escheat which his Majestie hath
unto the lands, Tenements and Hereditaments of Con O Kourk in
the County of Leitrim lately Deceased without Heirs, and which is
found by Inquisition now remaining upon Record in his Majesties
High-court of Chancery, But that his Majesties right and title there-
unto by Escheat as aforesaid be fully saved and preserved unto his
Majestie, his heirs and successors, any seizure or sequestration of the pre-
misses or any part thereof upon the account of the said late Rebellion
or Warre, or any other matter or thing in this or the said former Act
contained to the contrary notwithstanding.

And be it further Enacted by the authority aforesaid, That the Com-
missioners for execution of this Act, shall out of such forfeited Lands
as shall remain undisposed after all the English interests herein pro-
vided for, shall be satisfied, set out and allot unto Mary Coghlan wi-
dow the relict of Terence Coghlan of Kilcolgan in the Kings County
Esq; Deceased, so much land as shall be of like yearly value as the
Lands which she the said Mary Coghlan formerly held or ought to
have held for her jointure to be held and enjoyed by the said Mary
Coghlan during her life, any thing herein before contained to the con-
trary notwithstanding.

And be it further Enacted by the authority aforesaid, That the Com-
missioners for execution of this Act, shall out of such forfeited Lands
as shall remain undisposed after all the English interests herein pro-
vided for, shall be satisfied, set out and allot unto Anne Lady Dow-
ager of Slane, so much Lands as shall be of like yearly value, as the
Lands she formerly held or ought to have held for her jointure, as
widow and relict of the Lord Delvin her former husband, to be held
and enjoyed by the said Lady Dowager of Slane, during her life, any
thing herein before contained to the contrary notwithstanding.

And be it further Enacted by the authority aforesaid, That the Com-
missioners for Execution of this Act do forthwith restore to John Tal-
bot of Malahide all and singular the Lands, Tenements and Heredi-
taments in the County of Dublin, which he the said John Talbot,
held and enjoyed upon the two and twentieth day of October, 1641.
or at any time since such person or persons who purchased the same of
and from Susanna Bastwick or her children or their Assignes, being
first satisfied out of the forfeited Lands undisposed by this Act, by an
allotment of so many profitable Acres as may be equall in value, worth
and

and purchase to the Lands so to be restored, and after such restitution so made as aforesaid, the said John Talbot shall hold and enjoy to him and his heirs, all and singular the Lands, Tenements and Hereditaments so restored, but subject to Quit rents, any thing in this or the said former Act contained to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That Sir ^{Sir George} George Harbert of Dorrow in the Kings County Knight and Baronet, ^{Harbert re-} shall by the Commissioners for Execution of this Act, be forthwith re-^{stored.} stored unto and placed in the present and Actual possession of all and singular the Lands, Tenements and all other Hereditaments, right title and interest whatsoever in the said Kingdome of Ireland, which be the said Sir George Harbert or his Uncle Sir Jasper Harbert deceased, or either of them, or any other person or persons in trust for them, or either of them, or to their or either of their use or uses, had, held or enjoyed, or of right ought to have, held or enjoyed on the two and twentieth of October 1641. or at any time since, the respective ^{after satis-} Adventurers or Souldiers, their Heirs or Assignes now in possession ^{faction of} thereof claiming the same, being first satisfied their respective shares ^{adventurers} and proportions, and for their several and respective improvements, ^{as souldiers} which will be due to them by the rules of this Act, and from and after such restitution so made as aforesaid, shall hold and enjoy all and singular the Lands, Tenements and Hereditaments so to be restored unto him and his heirs, by such tenures, rents and services, and no other, (tenures in Capite or by Knights service excepted) as the same were held by on the said two and twentieth day of October 1641. any thing in this or the said former Act contained to the contrary notwithstanding.

And be it further Enacted by the authority aforesaid, That Sir Henry ^{proviso for} Tichborne, Knight, shall hold and enjoy to him and his heirs, all and ^{Sir Henry} singular the Lands, Tenements and Hereditaments, which were set ^{Tichborne} forth unto him in recompence and satisfaction of money and other ^{knicht.} provisions by him furnished for relief of the army in Ireland, between the years 1641. and 1643. which have not been Decreed away by the Commissioners for execution of the said former Act, and that the Commissioners for execution of this present Act, shall out of the forfeited Lands which shall remain undisposed by this Act to adventurers or Souldiers set out and allot unto the said Sir Henry Tichborne, so many Acres of profitable Land as may be equal in quantity to the lands so Decreed away, to be held and enjoyed by the said Sir Henry Tichborne and his heirs, and that like effectual Letters Patents shall be thereof granted, any thing in this or the said former Act, to the contrary notwithstanding.

And be it further Enacted by the authority aforesaid, That the ^{Countess} Commissioners for execution of this Act, shall out of such forfeited ^{Dowager of} Lands as shall remain undisposed, set out and allot unto ^{Fingall,} Countess Dowager of Fingall, so much Lands as shall be of like yearly ^{to have her} value as the Lands which the said Countess Dowager of Fingall ^{joincture} formerly held or ought to have held for her jointure, to be held and en- ^{after Eng-} joyed by her the said Countess Dowager of Fingall for and during ^{lish} the term of her life, any thing herein before contained to the con- ^{Interests} trary notwithstanding. ^{satisfied.}

And whereas Samuel Abery late of London Alderman, was in ^{Samuel} his life time an Adventurer for Lands in Ireland, and did subscribe ^{Aberys} and pay in the sum of 100. pounds or thereabouts, The satisfaction ^{adventure} of which Adventure was afterwards set out and allotted unto him the ^{in Limerick.} said

vested in his
Majestie
to satisfy
an exche-
quer debt.

said Samuel Avery, in the Barony of Conello and County of Aimerick, who notwithstanding such allotment quitted the possession of his own lot, and entred upon the lot of Sir Charles Lloyd Baronet, another Adventurer satisfied in part within the same Barony of Conello, which lot continued in the possession of the said Samuel Avery his Heirs and assignes, untill the same was lately restored unto the said Sir Charles Lloyd, And whereas the said Samuel Avery did also in his life time contract and agree with the late Usurpers in England, for the farm or Receipt of certain customs or impositions upon merchandize exported or imported, then and there usually paid, And upon such his contract and undertaking became indebted and stood charged and chargeable with the sum of 10000. pounds or thereabouts, as in and by the Records thereof remaining in the Court of Exchequer in England more fully appears, which said Debt and duty stands excepted out of the Act of Parliament passed in England, intituled, An Act of free and generall pardon, Indemnity and Oblivion, and remains vested in his Majestie, and is still unsatisfied, no lands or Tenements, Goods or Chattells of the said Samuel Avery, whereupon the said Debt might be leyed, being to be found in England, and the whole Adventure of the said Samuel Avery, and the Lands therefore set out in the said Barony of Conello, although no defalcation thereof be made, are too little to satisfie the said Debt so long behind and unpaid, to the end therefore that full satisfaction may be made unto his Majestie for his said Debt as far as by the said Adventure is possible, Be it Enacted by the authority aforesaid That all and singular the Lands, Tenements and Hereditaments in the Barony of Conello, set out and allotted unto the said Samuel Avery as aforesaid, not already Decreed away by the Commissioners for Execution of the said former Act, into whose hands soever the same be come by any right or title derived by, from or under the said Samuel Avery, his Heirs or assignes, shall remaine and continue vested in his Majestie, his heirs and Successors, in satisfaction and discharge of the said Debt, and if any part of the said Lands have been Decreed away by the Commissioners for Execution of the said former Act, The Commissioners for Execution of this Act, shall forthwith Assigne unto his Majestie by Deed under their hands and Seals, to be enrolled in Chancery, so much more as may be equal in quantity and number of Acres to the lands so decreed away, which Lands so assigned shall be and are hereby vested in his Majestie, his Heirs and Successors, and discharged of the uses or trusts in this or the said former Act expressed, any thing in this or the said former Act, or any other Act, matter or thing to the Contrary notwithstanding.

the persons
hereafter
named to be
restored.

And be it further Enacted by the authority aforesaid, That the fifty four persons herein after named, That is to say, The Earl of Westmeath, the Lord Vice-count Ikerryn, The Lord Baron of Dunboyne, The Lord Baron of Crymletstown, the Lord Baron of Upper Ossory, The Lord Bermingham Baron of Athunrepp, Colonel Richard Butler, Sir Richard Barnwell Baronet, Sir Edmund Everard Baronet, Sir Dermott O Shagnulley Knight, Master Edmond Fitz Gerald of Balmalo, Master Thomas Butler of Killcomell, Master Macnemarra of Crebagh, Master David Power of Kilbolane, Master Donnogh O Callaghan of Clonmeen, Master Barnard Talbott of Rathdown, Conly Geoghegan of Donore, who were mentioned amongst the thirty eight persons in his Majesties late Gracious Declaration, and were restored after reprizals set out, and for whom no provision

provision hath yet been made, and also the heirs of Sir Lucas Dillon Knight, the Heirs of Sir Wallentine Blake Baronet, Sir Robert Talbott Knight, Sir Richard Blake Knight, Doctor Gerrard Fennell, Geoffry Brown, John Browne of the Peale, John Walth, Thomas Terrill, Edmund Dillon, Francis Coghlan of Kilcolgan in the Kings County, Robert Nugent of Cartlanstown, Sir John Bourke of Derry, MacLaghney, Thomas Arthur Esq; Doctor in Physick, Gerald Fleming of Castle-Fleming, and Bartholomew Stackpoole Esquires, who were also mentioned in the said former Act to be restored to their former estates as aforesaid, and for whom no provision hath yet been made, and also the Lord Baron of Brittas, Master Tute Son to Andrew Boy Tute of Cullanmore, in the County of Westmeath Esq; Master Walth Heir of David Walth of Baly-Beag hanni in the County of Tipperary, Esq; Sir Edmund Bourke Baronet Son to Sir Ulick Bourke of Glusk in the County of Roscomon Baronet Deceased, Sir Thomas Elmond Baronet, Sir Lucas Dowdall Lt. Son of Lawrence Dowdall of Athlumney in the County of Meath Esq; Master Walth Heir of Walter Walth of Castle Hoyle in the County of Kilkenny Esq; Edward Wall of Ballinikill in the County of Catherlagh Esq; Master Butler Son of Theobald Butler Son of James Butler of Derry-Luscan in the County of Tipperary Esq; James Tobyn of Killaghe in the County of Tipperary Esq; Richard Butler of Ballinikill in the County of Tipperary Esq; Philip Purcell of Ballyfoyle in the County of Kilkenny Esq; Sir Edmund Fitz Gerald of Clanlish in the County of Limerick Baronet, Peirce Walth of Abbey Dorney in the County of Limerick Esq; John Power of Doneile in the County of Waterford Esq; Peirce Power of Honey Largy in the County of Waterford Esq; William Brabazon, the Heir of Anthony Brabazon of Balinadro in the County of Roscomon Esq; Daniel O'Brien of Dnogh in the County of Clare Esq; Lord Vice-count Iveagh, Sir Edward Fitz Harris of Clogh-Rotefoy in the County of Limerick Baronet, John Cantwell of Mokarky in the County of Tipperary Esq; and their Heirs and Assignes, shall by the Commissioners for Execution of this Act, be restored unto their severall and respective principal Seats, that is to say, unto their severall and respective principal Messuages, Houses or Castles, (Kilmedan and the Lands thereunto belonging excepted) or in case they have severall Messuages, Houses or Castles to such of their severall Messuages, Houses or Castles (Kilmedan and the Land thereunto belonging excepted) as they shall respectively choose within two months after the first sitting of the Commissioners for Execution of this Act, & unto 2000. acres of Land thereunto adjoyning, if they or any of them, their or any of their Ancestors, or any other in trust for them or any of them, or to their or any of their use were seized or possessed of so much upon the 22th. of October 1641. and were thereunto lawfully and rightfully intitld: And in case they or any of them, their or any of their Ancestors or any other in trust for them, or any of them, or to their use were not seized or possessed upon the two and twentieth of October 1641. of two thousand acres as aforesaid, then unto so much thereof as they were seized or possessed of as aforesaid, and which lyes contiguous to their respective principall Seats, and if any of the four and fifty Persons herein before named, shall be found to be in possession of any messuage and lands thereunto adjoyning, which to them or any of them did rightfully belong upon the said 22th day of October, 1641. & the Lands so possessed shall be found to exceed the

the remain-
der to be
cut off and
retrenched,

further pro-
vider for the
better sup-
port of the
nominees.

quantity of Two thousand acres, it shall and may be lawfull to and for the Lord Lieutenant or other Chief Governour or Governours of Ireland and Council there for the time being, to cause so much thereof, as shall exceed the quantity of two thousand acres, to be retrenched and cut off, in such way and manner as they shall think fit, and the Land so retrenched shall remain and be vested in His Majesty, to the end that the same may be further disposed to the uses of this Act: And for the better support of such of the 54 Persons herein before named, who shall not have 2000 Acres near adjoyning and lying contiguous unto his and their respective Seats, to which they are to be restored, or having 2000. Acres shall not be thought to be thereby sufficiently provided for, it is further declared and Enacted, That it shall and may be lawfull to and for the Lord Lieutenant, or other Chief Governour and Governours of Ireland, and Council there for the time being, upon due consideration had of the several and respective cases and merits of the persons aforesaid, to direct and appoint the Commissioners for Execution of this Act, to set out and allot or cause to be set out and allotted unto any of the persons aforesaid or their Heirs so much of the forfeited Lands which shall remaine undisposed after the several Protestant interestis herein before provided for, shall be satisfied, as the said Lord Lieutenant, or other Chief Governour or Governours and Council shall think fit.

Sir Tho-
mas Es-
mond shall
not be resto-
red to what
is in posses-
sion of the
of Albemarle.

Provided alwayes, That nothing herein contained shall extend fore-
fore or intitle the said Sir Thomas Esmond Baronet, to the possession of any Messuages, Mannors, Lands, Tenements or Hereditaments, whereof George Duke of Albemarle is now in possession by himself, or his under-tenants, or any ways intituled thereunto, but that the same shall be held and enjoyed by the said George Duke of Albemarle, his Heirs and assignes, any thing herein before contained to the contrary in any wise notwithstanding.

Clause for
Sir Edward
Fitz Harris

Provided also, That if any person or persons shall within the space of six monthes next after the Royal assent to this Bill, actually given, alleage before the Lord Lieutenant or other Chief Governour or Governours of Ireland, and Council there, that the said Sir Edward Fitz Harris, hath committed any Massacre, Murder, or other such like heynous Crime or cruelty upon the persons of any of his Majesties good Subjects, and shall prove the same by such witnesses or other evidence as the said Lord Lieutenant or other Chief Governour or Governours & Council there shall think good proof, that then & in such case it shall & may be lawfull to & for the said Lord Lieutenant, or other Chief Governour or Governours & Council there by order of the Council to declare & adjudge him the said Sir Edward Fitz Harris to be guilty of the crime or cruelty so alleaged and proved as aforesaid: & upon such declaration & judgement, the said Sir Edward Fitz Harris & his Heirs shall be and are hereby made incapable of any benefit or advantage, in and by this present Act given, or of any restitution as aforesaid, but shall remaine and be, to all intents and purposes, in the same plight and condition, as he or they would have been, if the said Sir Edward Fitz Harris had not been named in this present Act, any thing herein before contained to the contrary in any wise notwithstanding.

adventurers
and soldiers
not to be re-
moved for a-
ny till re-
prize inequal
value, worth
& purchase.

And it is further Enacted, that all and every the Adventurers, Souldiers and Commissioned Officers, who served before the fifth of June, 1649. their Heirs and assignes who are to be removed to make way for the restitution of the four and fifty persons herein before named, or any of them, shall be first satisfied by some other forfeited Lands to

to be let out and allotted to them by the Commissioners for execution of this Act, equal in value, worth and purchase to the Messuages, Lands, Tenements and Hereditaments from whence they are to be removed; and all and every the Protestant Purchasers in Connaught and Clare, shall be first satisfied by an allotment of land equal in value unto the lands from whence they are to be removed.

And be it further Enacted and declared by the Authority aforesaid, That where any person or persons now in the possession of any Messuages, Lands, Tenements, or Hereditaments, ought to be repaid for the same and after repizals first set out, to be removed thence, to make way for the restitution of any of the fifty four persons herein before named, their Heirs or Assigns, or for the restitution of any other person or persons herein before or after mentioned, who by the Rules of this Act is made restorable after previous repizals, that there and in such case it shall and may be lawful to and for all and every the person or persons so as aforesaid appointed to be removed, to have, receive and keep the rents, Issues and profits of all and singular the Messuages, Lands, Tenements and Hereditaments whereof they are now in possession, to their own use and behoof, without any account to be therefore made or rendered, until the Commissioners for execution of this Act, shall have set out and allotted unto the person or persons so as aforesaid appointed to be removed, such forfeited lands by way of repizal, as they shall adjudge to be due to them by the rules of this Acts: and all and every person and persons, who after repizals set out and allotted by the Commissioners, shall refuse to accept of such repizals, and shall detain and keep the possession of the lands from which they ought to be removed, shall account for and pay unto the person who ought to be restored, all the Rents and profits received from the time of setting out such repizals, until the restorable person shall be put into actual possession of the same, any thing herein before or after contained to the contrary notwithstanding.

And be it further Enacted, That all and every the Leases which have been made Bona Fide, of any the lands or Tenements which by virtue of any clause in this Act, are to be restored, shall be held and enjoyed by the several and respective Tenants during their respective Leases, they paying the Rents and services thereupon reserved, and performing the covenants and agreements therein contained, unto the person or persons to whom the Reversion thereof shall appertain, but if such Leases have been made in consideration of a fine paid, and by reason thereof a Lesser Rent hath been reserved, than otherwise the premises were worth to be let, then the person to be removed shall pay or cause to be paid unto the person to be restored, the said fine, and shall be satisfied for such fine so paid by such an allotment of so much other forfeited lands as after the rate of eight years purchase may be Equivalent thereunto: And it is further declared, That no Restitution made unto any of the persons herein before named, (The restitution of Francis Lord Bermingham Baron of Athlunry excepted) shall any way extend to alter or diminish the right which the Officers who served before the fifth of June, One thousand six hundred forty nine, can or may claim by virtue of this or the said former Act, to the benefit arising from the Redemption of Mortgages, Statutes Staple, and Judgments which do or may incumber the premises so to be restored: Nevertheless the four and fifty persons so as aforesaid to be restored, their Heires and Assignes (The Lord Bermingham excepted) shall have full power and Authority at any time within the space of two years next after the Royal assent to this Bill given, to Redem all

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and

and every the Mortgages, Statutes and Judgements which have been entred into by any forfeiting person or persons not decreed innocent, and do incumber the premises, so as the moneys thereupon due and owing for such part of the incumbrances as are within the security set apart for the Commissioned Officers who served before the fifth of June, One thousand six hundred forty and nine, be paid and satisfied unto their use, the payment whereof shall be and is hereby declared a sufficient discharge of such incumbrance, and no possession is to be delivered of the premises until the respective forfeited Incumbrances thereupon lying be paid and satisfied as aforesaid: And all and every the Mortgages, Statutes and Judgements which have been entred into to any forfeiting person or persons not declared innocent, & do incumber the premises or any part thereof herein before appointed to be restored unto the said Francis Lord Bermingham Baron of Athunry, shall be and are hereby released, barred, discharged and extinguished, And the Commissioners for Execution of this Act, are to sit out so much other forfeited land, as may be sufficient to satisfy the Officers who served before June, One thousand six hundred forty nine, for the several forfeited Incumbrances within their security and extinguished as aforesaid: And to the end that the Protestants who upon or since the Seventh of May, One thousand six hundred fifty nine, have been in the actual possession of any Messuages or lands which by virtue of this Act shall be restored or given unto any person or persons herein before or after named, may not wholly lose the benefit and charges of their respective improvements, Be it further Enacted by the Authority aforesaid, That all and every the Protestants so to be removed shall be and are hereby enabled to demand, & shall upon their requests have Leases made to them of all and singular the Messuages & lands in their manual occupations, for three lives, or one and twenty years, at a moderate Rent not exceeding three fourths of the true value of the lands, in satisfaction of their improvements, except it be a capital messuage, and then the party to be restored shall either make such Lease as aforesaid, or pay unto the person to be removed, in ready money the full value of such improvements, and in case of default or refusal, to make such Lease as aforesaid upon request, or to give such satisfaction in money, shall be and are hereby enabled to reenter and to retain the said lands, until such Lease made or satisfaction given as aforesaid: And to the end there may not be any difference touching the values of the lands so to be demised, or of the improvements to be satisfied as aforesaid, The Lord Lieutenant or other Chief Governour or Governours and Council for the time being, are hereby enabled upon the Petition of the parties concerned to appoint such Commissioners from time to time as they shall think fit, to settle the difference aforesaid, Provided alwayes & it is Enacted, That nothing herein contained shall enable any of the four and fifty persons herein before mentioned, to demand or have, or to be restored unto any Improvements or Appropriate tythes, or to any Glebe Lands, parcel of any Rectory impropriate, but that the same shall remain and be to such uses, as they would have been by this and the said former Act, if the said fifty and four persons, or any of them, had not been named, Any thing herein contained to the contrary notwithstanding.

Protestants
Improvements
served.

Clause for
Letters.

And be it further enacted by the Authority aforesaid, That those who were in possession of any lands or houses upon the two and twentieth day of August, One thousand six hundred sixty and three, to which they were restored by virtue of any His Majesties Letters, if they or
any

any of them, their or any of their Ancestors, or any other in trust for them, or any of them, were thereof seized or possessed upon the 22th. of October, 1641. and thereunto rightfully intitled, and are not otherwise provided for by this Act, shall by the Commissioners for execution of this Act, be restored unto, and put in possession of such houses, and so much of the lands lying contiguous and thereunto adjoining, as shall not exceed the quantity of 2000. Acres, in the doing whereof the Commissioners are to proceed by the same rules, orders and directions, and in like manner and form, as they ought to proceed in the settlement and restitution of any of the four and fifty persons herein before named, and not otherwise.

And be it further Enacted by the authority aforesaid, That nothing in the said former Act, or in this present Act, herein before or after contained, shall be understood to give, restore or confirm to any Irish Papist or popish Recusant or any other person seized or possessed in trust for any such Irish Papist or Popish Recusant, any Advowson or Right of Patronage or in any Ecclesiastical Benefice or promotion, or any Right of Nomination, Presentation or Collation to or Donation of any such Ecclesiastical Benefice or Promotion, but that all and every such Advowsons and Rights of patronage and the Rights of nomination, Presentation, or Collation to, or Donation of any such Ecclesiastical Benefice or Promotion, but that all and every such Advowsons and Rights of Patronage, and the rights of nomination, Presentation, Donation or Collation of or to any such Ecclesiastical Benefice or promotion shall vest, remain and continue, and so are hereby adjudged to vest, remaine and continue in his Majestie, His Heirs and Successors untill such Irish Papist or Popish Recusant, or the right heir of such Papist or Recusant, shall come to Church and receive the Sacrament according to the Rites of the Church of England, and from and after such conformity, shall be againe revested in the person so confirming and his heirs, any thing in this or the said former Act contained to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That Sir Edward Smith Knight, Chief Justice of his Majesties Court of common Pleas, Sir Edward Dering Baronet, Sir Allen Broderick, Sir William Churchill, Knights, and Edward Cooke Esq; and such others as upon the death or removal of them, or any of them, shall be appointed by his Majestie from time to time, shall be Commissioners, and that they, or any three or more of them, shall have power to put in execution all and every the matters of this present Act, and of the said former Act, which remain still in force, and are directed to be done by Commissioners, or are not particularly entrusted to some others by the said Acts, and that they and every of them shall before they Act any thing in execution of the said Commission, take an Oath before the Lord Chancellor or Lord keeper of the Great Seale of Ireland, or before the Lord Chief Justice of his Majesties Court of chief Place, or the Lord Chief Justice of his Majesties Court of Common Pleas, or before the Lord Chief Baron of his Majesties Court of Erchequer for the time being, which Oath they or any of them have hereby power to administer, as there shall be occasion, in these words following:

You shall swear, That you shall to the best of your skill and knowledg, truly and impartially execute the Place and duty of a Commissioner for putting in execution an Act, intituled, *An Act for the explaining of some doubts arising upon an Act, intituled, An Act for the better execution of his Majesties gracious Declaration for the Settlement of his Kingdom of Ireland, and satisfaction of the severall interests of Adventurers, Souldiers, and others his Subjects there, and for making some alterations of, and additions unto the said Act, for*

the more speedy and effectual settlement of the said Kingdom: And of so much as is still in force, and remains to be executed, of an other Act, intituled, *An Act for the better execution of His Majesties gracious Declaration for the settlement of His Kingdom of Ireland, and satisfaction of the several Interests of Adventurers, Soldiers, and other His Subjects there*, so long as you shall continue in that imployment, and therein you shall spare no person for favour and affection, nor any person grieve for hatred or ill will.

So help you God.

Doubts to
be explained
by the L^d. Lt.
and Council

And that in all cases which shall happen before the Commissioners within the space of two years next after their first sitting, wherein the construction of this or the said former Act shall appear doubtful to them, or that the Act it self shall be found defective in some points necessary for the carrying on of the intended final Settlement, and not clearly enough determined & provided for by this Act, the Commissioners or any three or more of them, shall & may by writing under their hands and Seals acquaint the Lord Lieutenant, or other Chief Governour and Governours of Ireland, and Council there for the time being, with their proceedings and the doubts arising thereupon, and the defects appearing in this present Act, and such order of amendment, enlargement of periods, explanation or direction as shall be thereupon made by the Lord Lieutenant, or other Chief Governour or Governours and Council by Act of Council in writing for the better and more easy Execution of this Act, and for promoting the ends thereof onely, shall be as binding to the Commissioners and all other persons, and effectual as if the same had been part of this present Act, so alwayes that the said Act and Acts of Council be made within the said two years, and inrolled in the High Court of Chancery.

2. years
time for ex-
ecution of
this Act.

And be it further Enacted by the Authority aforesaid, That the time and space of two years to be computed from the day of the first sitting of the Commissioners for Execution of this Act, shall be and is hereby allotted unto the said Commissioners for putting this Act in Execution, and for performance of the several matters and things hereby intrusted to them, And in case the same shall not then be finished, it shall and may be lawfull for the Lord Lieutenant, or other Chief Governour or Governours of Ireland, and Council there for the time being, to enlarge the time for the ends and purposes aforesaid, to such other and further periods, as they by any Act of Council and inrolled in the Chancery of Ireland, shall think fit to declare, so as such enlargement of time exceed not the space of one year from the expiration of the two former yeares, and that such order as to the enlarging of periods of time, shall be as good and effectual in Law, as if it had been particularly expressed and enacted by these presents.

Sheriffs
&c. to exe-
cute decrees
&c.

power to
punish con-
tempt,

And be it further Enacted by the Authority aforesaid, That all Sheriffs, Mayors, Bayliffs and all other Officers, and Ministers of Justice shall well and truly execute all orders and decrees to be made by the said Commissioners, or cause the same to be executed, and shall also from time to time obey and execute all such precepts, Warrants or other commands, as by the said Commissioners to them or any of them shall be directed, And that the Commissioners shall have such like power of proceeding in the cases of contempts and misdemeanours committed in open Court, or of willfull neglect or disobedience, as any of the four Courts at Dublin do or may lawfully use.

The Act to
be given in
evidence
upon gene-
ral issue
pleaded.

And be it further Enacted by the Authority aforesaid That in all suites and proceedings at Law, wherein the Authority of this Act may any way abate the Tenant or Defendant, in such suite it shall and may be lawfull to and for such Tenant or Defendant to plead the general issue, and to give this Act and the proceedings thereupon in evi-

dence

dence, and if upon the tryall a verdict pass, or upon Demurrer Judgement be given for the Tenant or Defendant, or the Plaintiff or Demandant be nonsuit, that in all and every such case the party or parties, Tenants or Defendants shall recover his or their double costs and damages.

And be it further Enacted and ordained by the authority aforesaid, that the Commissioners appointed or to be appointed by his Majestie for the Execution of this present Act, shall and may receive for themselves and for the Subcommissioners, which they shall choose to attend and assist them therein, the fees hereafter mentioned, and no other: That is to say, two pence for every profitable English acre which by any sentence, Judgement or Decree hereafter to be made by the said Commissioners, shall be granted, assigned, set out, restored or confirmed to any Adventurer, Souldier, old Proprietor or other Irish Papist, or to any Patentee, or Grantee, or any other person or persons, Bodies Politick or Corporate whatsoever, in pursuance of any part of this present Act, or of the said former Act, or of any proviso or grant therein made, or by the same or these presents ratified or confirmed, and such other fees, salaries and rewards for and in recompense of their pains and endeavours in the Execution of such other parts of this and the said former Act which are intrusted to them, as the Lord Lieutenant, or other Chief Governour and Governours of this Kingdom for the time being, and the Council shall think fit and appoint.

Be it hereby further provided and Enacted by this present Parliament and by Authority of the same, that no prejudice or damage whatsoever shall arise to or befall John Paine Esq; for or by reason or in respect of his being necessitated to accept of 100. pounds or thereabouts in the time of the late Usurpers for the present subsistence of himself and family then residing in Dublin, but that as to his full arrears due before the fifth of June 1649. for service in Ireland, the said John Paine, his Heirs and Assignes, shall be admitted to have, aske, demand and receive as full and ample satisfaction for the same, out of the security by this Act, set apart for satisfying the arrears of the Commissioned Officers before the fifth of June, 1649. to all intents and purposes, as if he were to that end named; provided for and saved in his Majesties Declaration of the thirtieth of November, 1660. and as any Commissioned Officer or Officers whatsoever who served in Ireland, before the year 1649. and hath hitherto received no part of satisfaction for such his service, shall, may or ought to receive, any clause, Article, matter or thing whatsoever in this present Act, or any other Act, mentioned or contained to the contrary thereof notwithstanding.

Provided alwayes, and be it further Enacted, That all Arrears of Dame pay grown due before the fifth day of June, in the year, 1649. for which Sir Thomas Gifford Baronet deceased, was to have received satisfaction in case he had now been living, shall be satisfied unto Dame Martha Gifford, the relict and sole Administratrix of the said Sir Thomas Gifford, her Heirs and Assignes, in such and the same manner as the same should or ought to have been satisfied to the said Sir Thomas Gifford, Any thing in the aforesaid Act, or this present Act, Contained, or any other matter or thing to the contrary notwithstanding.

And whereas in and by the said former act, the Mannor, Castle, Town and Lands of St. Woolstowes, alias Allens Court, were intended to be settled upon Hugh Earl of Mount-Alexander and his

Fees to be
2 d. for each
English and
profitable
acres, and
such other
as the L.
Lieutenant
and Coun-
cil please.

John Paine:
Esq; to
have bene-
fit of 49.
security.

Dame
Martha
Gifford to
have all be-
nefit of Sir
Thomas.
Gifford's
arrears.

James
Allen of St.
Woolstowes
decree not
altered.

DDDD DDD D

Heirs,

E. of Mount
Alexander
to be repri-
zed.

Diets, with benefit of reprisal in case of restitution, as Adventurers by the said former Act ought to have had, as in and by the said former Act more at large appears, since which time the Commissioners for execution of the said former Act, have by their Decree adjudged James Allen to be innocent, and restored the said Lands to the said James Allen and his Heirs, against which Decree an appeal was made to His Majesty, by a Petition exhibited by William Montgomery Esq; on the behalf of the now Earl of Mount-Alexander, an Infant Son and Heir of Hugh late Earl of Mount-Alexander, on hearing of which case, and on the defence made by Colonel Richard Talbot, to whom part of the lands restored by the said Decree, were for good and valuable considerations, and by sufficient assurances in Law, legally conveyed by the said James Allen, His Majesty thought not fit to alter the said Decree, or weaken any of the said assurances, His Majesty is therefore graciously pleased that it may be Enacted, and be it Enacted by the Authority aforesaid, That the Commissioners for execution of this Act, shall set out and allot, or cause to be set out and allotted unto the now Earl of Mount-Alexander, his Heirs and Assignes, so much other undisposed forfeited lands, as may be equal in quantity of acres unto two full third parts of the lands so evicted and recovered by Decree as aforesaid, and that Letters Patents shall be thereof passed in like manner, and shall be of like effect as any other Letters Patents granted by virtue of this Act, are or ought to be.

Sir John
Coke and
his heirs to
have the
lands
of Feartry
in the
County of
Wicklow.

And whereas in and by certain Letters Patents passed under the Great Seal of Ireland, and bearing date the Seventh day of March, in the twelfth year of the Reign of His Majesties Royal Father, the Territories and precinct of Feartry in the County of Wicklow, and certain other Mannors, lands and Tenements in the said Letters Patents contained, were thereby given and granted unto Sir John Coke Knight and his Heirs, his late Majesties principal Secretary of Estate, And whereas Thomas Coke late of Graves-Hill in the County of Middlesex His Majesties Solicitor General, son of the said Sir John Coke Deceased, was in his life time lawfully seized of, or otherwise intituled unto the said Territory and precinct of Feartry, and other the lands and Tenements in the said Letters Patents contained, the Inheritance whereof after the Death of the said Thomas Coke Deceased & did descend and come or of right ought to have descended & came unto

Coke An Infant only Son and Heir of the said Thomas Coke Deceased, Be it therefore Enacted by the Authority aforesaid, That no sequestration or allotment of any of the lands or Tenements in the said Letters Patents contained, to any Adventurer or Soldier, shall any way Barr or weaken the right or title of him the said Coke, in or to the said lands or Tenements but that he the said Coke shall & may hold & enjoy the same to him & his Heirs, according to the tenor & effect of the said Letters Patents, any thing in this or the said former Act contained to the contrary notwithstanding.

Sir Simon
Harcourt to
have Lands
to the value
400 l. per
annum.

And whereas in this and the said former Act, great care is taken of the relict and heirs of Sir Simon Harcourt Knight Deceased, upon whom his Majesties Royal Father did by Letters under his Privie Signet appoint that Lands of the value of 400. pounds per annum, to be taken out of the forfeited estate of Luke Peterbil, should be settled part of which estate together with certain houses in Dublin, were let out accordingly, and the relict and Heirs of Sir Simon Harcourt thereof possessed at the time of his Majesties late Gracious Declaration, and so still are, which Lands and houses together are, as is all leg-

ed, still short of the value of 400. pounds per annum, intended to be settled as aforesaid. It is therefore Explained and enacted by the authority aforesaid, That it shall and may be lawfull to and for Sir Philip Harcourt Knight, son and heir of Sir Simon Harcourt Kt: to hold and enjoy to him and his heirs the houses in the City of Dublin so as aforesaid set out and possessed, so as the houses and lands together, do not exceed the value of 400. pounds per annum, Any thing in this or the said former Act contained to the contrary notwithstanding.

And whereas Thomas Cunningham and Captain Lewis Dick in the yeare, 1642. pretended to have performed acceptable services against the then Rebels in Ireland, by hindering provision coming to them by Sea, and by relieving the English Garrisons which were in distress, wherein they so far gained belief, as that they Obtained from the Treasurer for the Irish Adventurers and acknowledgement, that they paid in 7000. pounds, as money adventured, and for which they likewise had a certificate from the Committee of Adventurers sitting at Grocers-Hall in London: And howbeit the said Thomas Cunningham, or Captain Lewis Dick never did any service on the coast of Ireland, according to the said undertaking, nor paid in any money as other Adventurers did, yet by colour of the said certificate, there were set out for the said 7000. pounds, the number of 15555. acres of Land in the County of Tipperary and Limerick, whereof they the said Thomas Cunningham and Captain Lewis Dick, or their Assigns, were possessed the seventh of May 1659. Now least by the generall rule of the present settlement, the said number of acres, or two third parts thereof, so unduly obtained as aforesaid, should be secured to the said Thomas Cunningham and Captain Lewis Dick, or their Assigns, His Majestie is graciously pleased that it be enacted, and be it Enacted by the authority aforesaid, That the said 15555. acres, so set out as aforesaid for and on pretence of the said 7000. pounds, shall be, remaine and continue, and are hereby vested in his Majestie, His Heirs and Successors for ever. Provided nevertheless, that if the said Thomas Cunningham and Captain Lewis Dick, their Heirs or Assigns, shall within two months after the Royal Assent shall be actually given to this present Bill, make it appear by full and cleare proof, before the Lord Lieutenant, or other Chief Governour or Governours and Council of Ireland, that the said Adventure money of 7000. pounds was really and bona fide issued and paid in pursuant to the severall Acts made by his late Sacred Majestie, for reducing the Rebels of Ireland, then they shall have the like benefit and advantage by the said adventure, and out of the said 15555. Acres, as other Adventurers are to have by virtue of this present Act.

Be it further Enacted by the authority aforesaid, That the Lord Agents Lieutenant, or other Chief Governour or Governours of this Kingdom for the time being, shall and may assess any sum not exceeding three pence per acre, in and out of every acre of profitable Land of Plantation measure, which is by the late Court of Claims, or shall be pursuant to this or the former Act, decreed or confirmed, or set out or delivered unto any person or persons of the Popish Religion in this Kingdom, and the same to cause to be leyed by Distress or otherwise, and to be paid unto the receivers herein after mentioned, to the intent that 5000. pounds be paid to Wilo Power Esq; his Executors, Administrators and Assigns, and that the residue may afterwards be issued out unto such of the Roman Catholicks of this Kingdom, who

adventures
of Thomas
Cunning-
ham and
Lewis Dick
vested in the
King.

Agents money to Roman Catholicks not to exceed three pence per acre.

5000. l for
Willo
Power Esq;

as Agents or otherwise since His Majesties most happy restitution, shall by the Lord Lieutenant, or other Chief Governour or Governours be judged meriting the same, and that in such proportions as the said Lord Lieutenant, or other Chief Governour or Governours shall think fit and direct.

Colonel
Cary Dillon
is to be
repaired,

Whereas Colonel Cary Dillon hath been dispossessed of 2604 Acres of Land, whereof he was possessed the seventh of May, 1659, as being set out unto him for service in Ireland, and which were confirmed unto him by the said former Act, amounting to 350. pounds per annum; And whereas the late Lords Justices had by their two Orders bearing date the 18. and 19. of July 1662. assigned certain Lands in the county of Galway, unto the said Colonel Cary Dillon, for his Repzizal of the whole, and also for satisfying of him 350. pounds sterling, which was one years rent of what he had lost, grown due unto him from the time he had been dispossessed, but the said Colonel Dillon received no benefit thereby, Be it therefore enacted by the authority aforesaid, That the Commissioners appointed to put in execution this Act, shall forthwith set out and allot unto the said Colonel Cary Dillon, his Heirs and assignes for ever 1735. acres of profitable, forfeited lands, of twenty one foot to the perch, being two third parts in quantity of what he hath already lost as a Souldier, and that the same do in present yield two full third parts of 350 pounds per annum, being the value of what he hath lost as aforesaid, with as much convenience of building and other advantages thereon as they can, in regard of the considerableness of the places and buildings from whence he is removed, which shall be granted unto him by like Letters Patents, as any other Souldier by this Act are to have; And if the said Commissioners shall think it necessary, that a Commission be issued for the inquiry into the value of any Lands, Castles, Tenements or other Hereditaments, in order to the setting out of the said Repzize, the Chancellour or Keeper of the Great Seal for the time being, are hereby required to issue the same, Any thing in this Act, or the said former Act to the contrary notwithstanding.

Proviso for
Randal L.
Marquess of
Antrim.

And whereas upon a solemn hearing before his Majestie at His Council Board in England, upon a Petition exhibited by several Adventurers & Souldiers against Randal Lord Marquess of Antrim, & against the Judgement & Decree given by the major part of the late Commissioners for execution of the said former Act, whereby the said Marquess was adjudged innocent, His Majestie after much time spent in the examination of the case, declared that he saw no cause why the said Marquess should be adjudged innocent, much less that the Commissioners not at all considering the proofs which they heard against the said Marquess, should lay the whole weight of their judgement upon His Majesties Certificate the said certificate being onely to declare, that the Marquess was imployed into Ireland, to procure what Forces he could from thence, to be transported into Scotland, for his late Majesties service under the late Marquess of Montross, To the end that the conversation of the said Marquess of Antrim in the Rebels quarters, which was necessary for that service, might not according to the letter of the former Act render him criminal, if that had been the onely, as it was the least objection against him, And therefore His Majestie resolved that the said Marquess of Antrim should undergoe a new trial, to prevent which the said Marquess of Antrim by an humble Petition to His Majestie did acknowledge himself guilty, and humbly besought His Majestie, That he might be supported by his mercy, as being not
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able to support himself by his own innocence, Theretore His Majestie is pleased that it may be Enacted, and be it Enacted by the Authority aforesaid, That the said Decree and all and every clause therein contained shall be and so is hereby declared to be null and void to all intents and purposes as if the same had never been had or made: Nevertheless His Majestie Reflecting upon the many services heretofore performed by the said Marquess towards his Royal Father of Blessed Memory, and some eminent services done by the said Marquess for his Majestie himself, the said Marquess having besides assisting him with Arms and ammunition when he was in the West, furnished him with Shippes to make his escape into forraign parts, when his Armies were defeated in the West, and considering that His Majesties mercy is by this Act extended to some who have as much Demerited, Is graciously pleased that it may be further Enacted, and be it further Enacted by the Authority aforesaid, That the Commissioners for Execution of this Act, shall forthwith and without staying for any previous repizall set out, restore and allot unto the said Marquess of Antrim, or cause to be set out, restored and allotted unto the said Marquess of Antrim, all and singular the honors, Mannors, Castles, Melluages, Lands, Tenements and Hereditaments, and all other the estate, right, title and interest, whereof the said Randall Lord Marquess of Antrim, or any other person in trust for him or to his use, was seized or possessed on the two and twentieth of October 1641 (the Lands in the Barony of Glanarme herein after mentioned to be restored to Alexander Macdonell, & also all impropriations and appropriate tithes excepted) And that the said Marquess of Antrim shall hold and enjoy all and singular the lands, Tenements and Hereditaments so restored unto him the said Marquess of Antrim, except before excepted, and the Heirs males of his Body begotten, any thing in this or the said forme Act contained to the contrary notwithstanding, Subject nevertheless to such Debts and other Incumbrances as the same were or ought to have been Subject unto, upon the said 22th. day of October, 1641. (and to such Leases and estates thereof made for satisfaction of Creditors, as are provided for in and by the said former Act) and to the payment of such further Quit-rents as any other lands within the same County or Province are Subject unto, And the Commissioners for Execution of this Act, are hereby required with all convenient Speed to set out and allot unto all and every the adventurers and Souldiers, their Heirs and assignes who shall be dispossessed by the restitution of the said Marquess, so much other forfeited land as may be sufficient to repize and satisfie the persons so to be removed, for their severall and respective two full third parts which will be due to them by the rules of this Act: And for the better enabling the said Marquess of Antrim to pay his Debts, when he shall be restored by Sale of Land or otherwise, which cannot well be done unlesse the Reversion or remainder in Fee expectant upon the said estate Tayle be taken out of the Crown, It is therefore Enacted by the authority aforesaid, That all & singular the Lands and Tenements so. as aforesaid, appointed to be restored, And all and every the reversion and reversions, remainder and remainders thereof shall be and are hereby vested and settled in Alexander Mac Donnell Brother of the said Marquess, and his Heirs, as a remainder in Fee expectant upon the Death of the said Marquess without issue male.

Provided alwayes and it is hereby Enacted, that no fine, recovery or other act or thing whatsoever to be done or suffered by the said Marquess, (other than Leases for one and forty years or three lives in possession

possession and not in reversion, whereupon the Highest improver Rent which the same were let for in the year 1635. shall be reserved) touching or concerning any the Messuages, lands, Tenements or Hereditaments situate lying within the Barony of Donlue in the County of Antrim, shall any way extend to Bar, discontinue, defeat or incumber the remainder thereof intended by this Act to be settled upon the said Alexander, but that the said messuages, lands, Tenements and Hereditaments in the Barony of Donlue in the County of Antrim, shall after the Death of the said Marques without issue male of his Body, remain and be in the said Alexander Mac Donnel and his Heirs, Any such Fine, Recovery, or other Act or thing done or suffered to the contrary notwithstanding: Nevertheless it is hereby declared, That as to all other the Lands and Tenements so, as aforesaid, to be restored, it shall and may be lawful to and for the said Marques by Fine, Recovery or any other way he shall think fit, to bar, discontinue, defeat or incumber the remainder thereof, so limited and settled as aforesaid.

Provided allwayes, and it is Enacted, That nothing herein contained, shall any way extend to restore the said Marques of Antrim to the possession of any Lands which he the said Marques or his father did heretofore grant or convey in Fee Farm to any forfeiting person or persons not declared innocent, or to the possession of any Lands whereof he the said Marques or his father did make any Lease for lives or yeares to any forfeiting person or persons not declared innocent, during the lawful continuance of such Lease, but that the lands so granted in Fee Farm, or Demised as aforesaid, shall be put into the possession of such person and persons, for and towards the satisfaction of their two third parts, as would have been intitled to the same, if the said Decree had not been made, nor the said Marques hereby restored, Any thing herein before contained to the contrary notwithstanding: saving to the said Marques and his heirs, the Rents and Services due & to be due for the premises.

Proviso for
Rose Lady
Marques
of Antrim.

Provided also, That nothing herein contained shall any way extend to bar or hinder Rose Lady Marques of Antrim of her Right and title of Dowry of, in or to any the Lands, Tenements or Hereditaments so as aforesaid to be restored, but that it shall and may be lawful to and for the said Lady Marques, after the death of the said Lord Marques her husband, to sue for and recover her Dowry of the said Lands and Tenements, Any thing in this or the said former Act contained to the contrary notwithstanding.

for Alexan-
der Mac
Donnel
&c.

And be it further Enacted by the Authority aforesaid, That the Commissioners for execution of this Act, shall forthwith and without staying for any previous Reprial, set out, restore and allot, or cause to be set out, restored and allotted unto the said Alexander Mac Donnel and his Heirs, all and singular the Lands, Tenements and Hereditaments in the Barony of Glanarm in the County of Antrim, which were settled or intended to be settled upon him the said Alexander Mac Donnel by his late father, & all other the Estate, Right, Title & Interest whereof he the said Alexander Mac Donnel, or any other in trust for him, was seized or possessed upon 22 day of October, 1641. Impropriations & Appropriate tythes excepted, subject to the debts and Incumbrances of him the said Alexander Mac Donnel and such other debts as were thereupon charged by the father of the said Alexander, and payable to a proportionable part of the Rent-charge granted to Alice Countess of Antrim, and to such Quit-Rents as by this Act are payable for Lands

Lands in the same Province, Any thing in this or the said former Act contained to the contrary notwithstanding.

And to prevent all Riots or Disturbances which may happen in taking or keeping possession of the premises, before the final settlement thereof, It is further Declared, That so much of the premises hereby intended to be restored to the said Marques, whereof the said Marques by himself or his Under-tenants was in possession upon the first of July 1665. shall remain and continue in his and their possession, untill restitution be thereof made by the Commissioners as aforesaid; And that the adventurers and Souldiers, their Heirs and Assignes, may retain so much of the premises hereby intended to be restored to the said Marques, and the said Alexander Mac Donnel, whereof they were in possession the said first of July, 1665. untill restitution be thereof made by the said Commissioners, as aforesaid; And that Alexander Mac Donnel may enter upon all the premises hereby intended to be restored to him, which are not in possession of Adventurers or Souldiers, their Heirs or Assignes, and the same to retain and keep in his possession untill restitution thereof be made by the Commissioners as aforesaid.

Souldiers and Adventurers in possession the first of July 1665. of any part of the Marques estate to keep it till restored.

And be it further enacted by the authority aforesaid, That the manor of Edenduffcarick, and all other the Lands, Tenements and Hereditaments in the Baronies of Coom and Antrim, which were given and bequeathed to Rose Lady Marques of Antrim, by the last Will and Testament of Sir Henry Perle her deceased father, shall be held and enjoyed by the said Lady Marques and her heirs, Any Prosecution had against the said Lord Marques her husband, or any other matter or thing in this or the said former Act contained to the contrary notwithstanding.

Rose Lady Marques of Antrim to enjoy her fathers estate.

Whereas by a Decree of the late Court of Claims, Patrick Colclough was restored to an Estate in the County of Wexford, in Remainder after the death of Dudley his father, part of which was by a clause in the said former Act vested in Robert Clayton and John Morris in trust for Sir John Cutler and others in the said Act mentioned, and had before that time been purchased from Souldiers or other reprobable persons in order to the erecting of Iron Works which have since accordingly been erected, and are of publique benefit to this nation, and the increase of his Majesties revenue, and if the said Decree should remain in full force, the said advantages might be lost, for the preservation thereof, It is therefore Enacted and be it enacted by this Parliament, that the said John Morris and Robert Clayton shall and may have, hold, and enjoy such part of the lands contained in the said Patrick Colcloughs Decree, as they were formerly seized of against the said Patrick and Dudley and their Heirs, and against the said Decree made as aforesaid, and it is further Enacted that in lieu and compensation thereof, the said Patrick Colclough shall have the full benefit of the reprobation due to the said John Morris and Robert Clayton upon the said Decree. And that untill the said reprobations shall be set out, that the said Lands hereby settled on the said John Morris and Robert Clayton, shall be chargeable, and are hereby charged with the annual Rent of 100. pounds payable yearly on the first dayes of May and November, and made payable to the distresses of the said Patrick upon non payment thereof at the said dayes of payment, and that as soon as the said reprobations shall be set out as aforesaid, the said yearly Rent shall cease and absolutely determine, And to the end that the said Iron Works may be kept up, It is likewise Enacted that if the

Patrick Colclough to be reprobated for erecting by reason of the Iron works.

said former or ancient proprietor or his heir of any the lands whereof the said John Morris and Robert Clayton are now seized in the said County of Wexford, shall be or is by this Act restored to his estate, then and in such case the said John Morris and Robert Clayton and their Heirs, shall notwithstanding have, hold and enjoy such part of the said former Proprietors estate as they now stand seized of, And the said Proprietor for so much is elsewhere to be reprized, any thing in this present Act, or any other Act of Parliament contained to the contrary in any wise notwithstanding.

Proviso for
Sir George
Lane Kt.

Whereas his Majestie by several Letters Patents under his Great Seal of Ireland, whereof one patent was dated the fifteenth of February, 1660. in the 13th. year of his Majesties Raign, the other dated the tenth day of July, 1663. in the fifteenth year of his Majesties Raign, did amongst other things give, grant and confirm, or mentioned or intended to give, grant and confirm unto Sir George Lane Knight, and his Heirs, all the, Castles, Mannors, Houses, lands, Tenements and Hereditaments, and other interest whatsoever, which Philip Hore late of Kilsalchan attainted of High Treason was seized or possessed of at the time of his said attainder, since which time two several Decrees have been made in the late Court of Claimes in this Kingdom, to the prejudice of the said Grants, one at the suite of the Son & Daughters of the said Philip Hore attainted, for portions, and the other at the suite of the Sons of Philip Hore the younger Son to the said Philip attainted, for several remainders, which Decrees were upon a petition exhibited to his Majestie by the said Sir George Lane questioned, and on hearing of the cause, it was ordered that the said Sir George Lane should be at liberty to impugne the said Decrees by any matter in fact or Law, that he could object against them, whereupon the said Philip Hore the younger who made defence in the said cause before his Majestie, and the said Sir George Lane did mutually agree for avoiding of all future differences touching that matter, that all the said estate and interest should be divided, and a share thereof settled on the said Sir George Lane and his Heirs, for quitting his whole pretense and right to that estate, and the remain thereof settled on the said Philip Hore the younger and his Heirs for all his pretenses, and the pretenses likewise of his Brothers, Sisters and children to that estate, which agreement the said parties did by their joint Petition humbly desire to be established by several provisos in this Act, whereupon his Majestie was graciously pleased that it should be Enacted by the Authority aforesaid, And it is hereby Enacted, that the said several Decrees be and are hereby made null and void, as if there had never been any such, And that the said Sir George Lane shall be and is hereby restored unto, settled, confirmed and established in the present and actual seizin and possession of the mannor, Castle, Town and lands of Kilsalchan with a windmill and six messuages containing by estimation three hundred acres of Land, be it more or less, within the County of Dublin, with a Court Leet and Court Baron to be held within the said Mannor of Kilsalchan, the meadow called the Lords mead in the fields of Stradbally, a messuage and ten acres of land in Stradbally aforesaid in the fields thereof next adjoyning to the Lords mead aforesaid, and all other the said Philip Hores lands in Stradbally aforesaid, now or late in the tenure or possession of John Murphy, John Quin and Walter Ryan, or one of them, one Messuage and forty acres of land with the appurtenances in Swords, one Messuage and five acres of Land in Rells Towns, two Messuages, one Pigeon House, one hundred a. res of

of land 10. acres of meadow, and ten acres of pasture, with the appurtenances in Ardlaw, nine Messuages nine Gardens, and one hundred acres of land, with the appurtenances in Stradbally commonly called Bealings, Land in Stradbally, the village, Hamlet and Lands of Great Kingston, with the appurtenances containing by estimation one Messuage, & fourscore acres of land, two houses with Gardens, and a Park or Orchard, Commonly called Pond Park to them belonging, in Newstreet in the Suburbs of the City of Dublin, one Close or Park commonly called Barries Park, without Bongan's Gate, all lying and being in the Parish of St. Nicholas, Barony of Uppercross, and County of Dublin, fifty shillings yearly rent issuing out of the Mannor of Westpallstown, nine pence chief rent out of the Lands of Crislerath, nine pence chief rent out of the Lands of Knightfield, and thirteen shillings and four pence chief rent out of Dowdes Land, Bealings Land, and Calbots Land in Stradbally aforesaid, the Town and Lands of Passlockes-Town and Maces-Town in the aforesaid County, the Town and Lands of Bilmore in the Barony of Coolock and County aforesaid, by virtue of a Mortgage from one Christopher Pudent of Robins-Town, in consideration of 1400. pounds, All which Lands, Tenements, Hereditaments and Chief Rents, are situate, lying and being within the County of Dublin aforesaid, And also of three Messuages, two stables, one piece of waste ground, one Garden, and other Edifices near the said stable, in the Parish of St. Bridget, sometimes in the possession of William Badger, or his Under-tenants, within the County of the City of Dublin, and Suburbs or Liberties thereof, two Messuages with the appurtenances in Ormantown, in the Parish of St. Michans, sometimes in the possession of Peter Decolter, one Brick house, three Messuages covered with straw in Ormantown aforesaid, which Patrick Martin and Peter Decolter sometimes held, one Messuage or Tenement in Mary Lane in Ormantown aforesaid, which James Lewelly sometimes held, one slated Messuage, and one stable in Bill Lane in Ormantown which the aforesaid James Lewelly sometimes held, one Brick house which the appurtenances in Bill Lane in Ormantown, sometimes in the possession of Margaret Lewelly deceased, one other Brick house and garden, two several Cottages upon Cock-Hill near St. Mary Abbey, which John Fisher Taylor formerly held, one Messuage with the appurtenances in Mary Lane in Ormantown, sometimes in the possession of John Arundell, one Messuage with the appurtenances in Mary Lane aforesaid, sometimes in the possession of Barbara Bath, two Messuages with the appurtenances in Bill Lane in Ormantown, which Edward May deceased sometimes held, one Shop or room in Highstreet under the house wherein Robert Dowling formerly lived, which Shop was held by John Jourdan, one thatch't house or messuage with the appurtenances in St. Mary Abbey, in the Parish of St. Michans, which John Hore sometimes held, a messuage with the appurtenances in Highstreet, in the Parish of St. Michaels sometimes in the possession of Richard Barry of Dublin Alderman, one piece of waste Land in Bull Lane in Ormantown, formerly in the possession of John Moor merchant, one piece of waste ground whereon two messuages were built, in St. Francis, Street, formerly in the possession of William Lock, one messuage or tenement with one garden and the appurtenances in Ormantown near Fishers Lane in the possession of George Carleton Esquire, one garden or waste plot of ground in Cookstreet, in the Parish of St. Audrons, upon which

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are now houses built by one Robert Cuslace, and now in the possession of Bryan Jones Esquire, one messuage or tenement with the appurtenances on the Merchant Key, in the Parish of St. Andeons, sometimes in the possession of John James and others, which the said Phillip Hore held from Christopher Chilham of Drogheda merchant for certain yeares yet to come, yielding thereout yearly to the said Christopher and his heires nine pounds sterling, at the feasts of Easter and St. Michael the Archangel, which rent the said Christopher did mortgage unto the said Phillip for ninety pounds sterling, one piece of ground called the Bean Pard in Ormantown, in the Parish of St. Michans, late in the possession of Sir Anthony Morgan Knight, one house on the Pavement in Ormantown aforesaid, leading to Youngs Castle, sometimes in the possession of Walter Scanlan, all which houses, tenements and premisses are situated, lying and being within the City and County of the City of Dublin, or in the County of the City of Dublin, or in the Suburbs or liberties thereof, together with all other the houses, lands, tenements and interest formerly belonging or in any ways appertaining to the said Phillip Hore within the said City and County of the City of Dublin, the Suburbs and Liberties thereof, And also the Town and lands of Bulls Town, the Town and lands of Clatters Town, with a Water-mill and Pigeon-House, and part of the Town and Lands of Cales Town, the Towns and Lands of Bwytown and Swines-Deane, all lying and being in the County of Meath, And all other the lands, tenements & hereditaments formerly belonging or appertaining to the said Phillip Hore in the said County of Meath; And that he the said Sir George Lane, his Heirs, Executors or Administrators respectively, shall have, hold, possess and enjoy all and singular the premisses, with all the rights, members and appurtenances, Rents, Issues and Profits, and all other advantages whatsoever to them, and every of them, belonging or appertaining, to the use of him the said Sir George Lane, his Heirs, Executors, Administrators and Assigns respectively, subject to such rents and services as the same are lyable unto by this Act: And the said several and respective Letters Patents, as to all things therein contained, and not herein after changed or altered, shall be and are hereby ratified and confirmed, Any thing in this present Act, or any other former Act, cause, matter or thing to the contrary notwithstanding.

And be it further enacted by the Authority aforesaid, That the said Phillip Hore the son shall be and is hereby restored to his blood, and shall and may derive his pedigree and descent from all and every of his Ancestors lineal and collateral, other than as to the premisses so settled on the said Sir George Lane as aforesaid: And that he the said Phillip Hore shall be and is hereby restored unto, settled, confirmed and established in the actual and present Seizin and possession of the Town and Lands of Castleknock and Frishtown, with a Mill and Salmon Water thereunto belonging on the Liffy, Hartstown, Stabenny, Castle-Curragh, alias, Curragh, Ballidowde, Rickinhead, Balliboggan, Lusk, alias, Lusks Land, Rath Lucastown, The Logh, alias, Loghes Hill, alias, Bullogs Land, the Rath of Killofery, alias, Ashborn-Rath, two Watermills in the Town of Killofery, with three acres of land thereunto belonging, Blackhall, containing sixty acres, lying in the Parish of Killofery, Brauford with twenty acres thereunto adjoining, late in the tenure of Walter Ryan and John Ryan, and now Leased by the said Phillip Hore to Richard Shoomaker, Correstowne sixty acres, Coolcoigh, Dunmucky and the

twenty

twenty acres alias, Thornetown, Chappell Midway, one shilling chief rent out of Killmartin, eight pence chief rent out of Ashdowne in the County of Dublin, as also shall be and is hereby restored unto, settled, confirmed and established in the actual and present seizin and possession of one Burgage in St. Maryes Parish in the town of Wierford, one toft called Allens walls in St. Peters Parish in the said Town of Wierford, one wast messuage and fifteen acres of land called Farrans Town, alias Lackans land in Taghmon, The manors of Skallrich alias Ballmaskalrich, and Kildowan, containing the Castle, Town and lands of Drinagh, Ablinstown, Stapolestown, Doumshstown, Mil-town, Whits-town, Lebets-town, Rows-town, Kellis-town, Synotts-town, in Great Killian twenty acres, in Whits-town called Morrisgate, forty acres, in Jacketts-town, little Ballifenock, Morris-town, Gurtchynininog, Quoans-town, Polebreane, Fardeles-town, the Commons of Drynagh containing sixty five acres, Bogganstown, Carran in Carne containing two acres, Cullenragh, a Plott of Ground on the Castle Hills in Wierford, Ballethelllan, Martells-knock, Graighallagh, little Johnstown, The Durr, Youngestown, Harviestown, and the mill thereunto belonging, Polemore, Bolgerstown, and Muchy-wood, and Mullindery with the appurtenances, all lying and being in the County of Wierford, and that be the said Phillip More shall have, hold, possels and enjoy all and singular the premises to him and his Heirs against the Kings Majesty, his Heirs and Successors, and against the said Sir George Lane and his Heirs, and all claiming by, from or under them or any of them by virtue of this or the said former Act, with all the rights, members and appurtenances, Rents, issues and profits, and all other advantages whatsoever to them and every of them belonging and appertaining, to the use of him the said Phillip More, his Heirs, Executors and Administrators respectively for ever, Subject unto such rents and services as the same are lyable unto by this Act, This present Act, or any other Act, Law, Statute, Ordinance, Order, Grant, Decree, outlawry, attainder, Record, Provision, Sequestration, Distribution, Allotment, Judgement or Conviction, or any other clause, matter, or thing to the contrary notwithstanding.

His Majesty having taken to his Princely consideration the many faithfull and acceptable services of Sir George Hamilton Knight, performed aswell to his late Majesty of Glorious memory, as to himself in the Wars of Ireland, and that in several qualities, as Captain of Horse, Colonel and Captain of Foot, Governour of the Castle of Penach, and other capacities for which there were arrears to great value accrued to the said Sir George Hamilton before and after the fifth of June 1649. which, though not stated, are by agreement and consent between him and other the Commissioned Officers and Trustees, serving in Ireland before that time, reduced to five thousand pounds sterling, Be it therefore Enacted by the authority aforesaid, That the said Sir George Hamilton shall in full satisfaction of all personal arrears due unto him for his service in Ireland, in the several employments he had there before and after the said fifth day of June 1649. Be satisfied the sum of five thousand pounds sterling out of the security set apart and designed by this & the said former Act for satisfaction of the arrears of such Commissioned Officers as served His Majesty or his said Royal Father in the Wars of Ireland, at any time before or after the fifth of June 1649, in such manner as by the said agreement is directed, this Act, or any other Act, or matter to the contrary notwithstanding.

Sir George Hamilton
Kt. to have
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for two
things

Except.

Provided Alwayes and be it Enacted by the Authority aforesaid, That where any Lands, Tenements or Hereditaments, which were seized, sequestred, or set apart upon account of the late Rebellion or Warr, have been given & granted by any particular clause or provision in the said former Act mentioned, or by any Letters Patents under the Great Seale of England, or under the Great Seal of Ireland, to any person or persons whose estates therein were confirmed by the said former Act, or are confirmed, by this present Act, and whereof a third part hath not been already evicted by some Decrees herein confirmed, (the lands granted to his Royal Highness James Duke of York, George Duke of Albemarle, Arthur Earl of Anglesey, Roger Earl of Oxerpy, Charles late Earl of Mountbath, Richard Lord Baron of Coloony, Charles late Earl of Falmouth, Theobald Earl of Carlingford, Henry Lord Arlington, John Lord Kingston, Chidley Coot and Thomas Coot Esquiers, the relict and Heirs of Sir Simon Harcourt, and the relict and Children of Colonel George Cook, Sir William Pen, Sir Theophilus Jones, Sir George Aylscough, the Orphans of Colonel Owen O Connell, Sir George Ratwdon Baronet, Sir George Lane, Edward Vernon Esq; Erasmus Smith Esq; and the lands conveyed or mentioned to be conveyed by John Parker to certain Trustees for pious uses, which Trustees are hereby made responsible to the Lord Lieutenant, or other Chief Governour and Governours and Council there for the time being, touching the execution and performance of the said Charity, and the Lands granted to any person or persons in satisfaction of arrears due for service done in Ireland, or in satisfaction of any debt owing to them for provisions for the Army or Navy in Ireland, and the Lands which by the said former Act are restored to former Proprietors, onely excepted) That there and in such cases, the said Provisoes, Clauses, Grants and Letters Patents shall be understood, and so are hereby declared to be good and valid for no more than two full third parts of the Lands, Tenements and Hereditaments therein mentioned, & thereby granted, & as to one third part of the Lands, Tenements & hereditaments therein contained, shall be and so are hereby declared to be null and void, Any thing in the said Provisoes, Clauses, Letters Patents, or in the said former Act, or in this present Act contained to the contrary notwithstanding: Nevertheless such Grantees and all those who claim under them, shall have like liberty of Retrenchment, and in like manner and form as Adventurers and Souldiers are to have by the rules of this Act, and the third part so as aforesaid to be retrencht, shall remain and be vested in his Majestie, his Heirs and Successors, to be disposed and applyed to such uses as other forfeited Lands by this Act ought to be, Any thing herein before contained to the contrary notwithstanding.

Lands de-
creed to
Papists since
the 2d. of
July 1663.
to pay one
years rent.

Provided also, and be it Enacted by the Authority aforesaid, That out of all the Lands which have been decreed to any Irish Papist, Popish Recusant, or Roman Catholick, by virtue of any Decrees not grounded upon some particular Proviso in the said former Act, and made by the Commissioners for execution of the said former Act, after the second day of July in the year of our Lord, 1663. and herein confirmed, one years rent, according to the values the same were let at in the year, 1659. over and above all other the rents and payments by this Act imposed or made leyable, shall be raised, and leyed, and paid unto the Receivers herein after mentioned, by two even and equal payments, the first payment thereof to begin upon the first day of November, which shall be in the yeare of our Lord, 1667. and the second

pay-

payment thereof to be upon the first day of November, which shall be in the year of our Lord, 1668. under the penalty following, That is to say, every person lyable to the payment of any part of the said years rent, and making default, and failing to pay the same by the space of twenty days next after any the days and times wherein the same ought to be paid, shall be chargeable, and is hereby charged with double the sum which ought to have been paid as aforesaid, to be levied by Process out of His Majesties Court of Exchequer, in like manner as any other the rents herein before imposed or appointed to be levied; And the said Receivers herein after mentioned, are to pay the moneys by them received from time to time unto Arthur Earl of Anglesey, Vice-Treasurer of Ireland, or unto the Vice-Treasurer of Ireland for the time being, And the said Arthur Earl of Anglesey, or the Vice-Treasurer of Ireland for the time being, is hereby appointed to issue out and pay all and singular the monies which by virtue of this clause shall be received and paid in, or otherwise levied as aforesaid, unto such Irish Papists, Popish Recusants and Roman Catholicks, as served under His Majesties Ensigns abroad, and are particularly mentioned in the late Declaration, and were seized of or intituled unto any lands, Tenements or Hereditaments upon the three and twentieth of October, 1641. to which they are not yet restored, and in such parts and proportions as the Lord Lieutenant, or other Chief Governour or Governours of Ireland for the time being shall direct and appoint.

And whereas in the said former Act it is provided, That the sum and sums of money which have been forfeited by any Adventurer or Adventurers, by reason he or they did not satisfy or pay in their full proportions or sums of money respectively subscribed by them, according to the tenor of the Acts of Parliament of the seventeenth and eighteenth of King Charles the first, he and are hereby vested and settled in his Majestie, His Heirs and Successors, as in and by the said Act more fully appeareth, which forfeited subscriptions, adventures or sums of money are commonly called by the name of lapsed money, And whereas His Majestie for the better increasing of the stock of undisposed forfeited lands, and to the end that more of the ancient and former Proprietors may come to be restored, is graciously pleased to relinquish his satisfaction of the said lapsed money by or out of any forfeited lands to be therefore set out, and to accept of the sum of Thirty thousand pounds sterling, to be paid unto His Majestie in lieu and recompence thereof, Be it therefore Enacted by the Authority aforesaid, That His Majesties right and title in and to any forfeited lands, in recompence of and satisfaction for the said lapsed moneys shall be and is hereby released and discharged; and further, that it shall and may be lawful to and for the Lord Lieutenant, and other Chief Governour or Governours of Ireland, & Council there for the time being, to assess and impose upon all and every the Lands, Tenements and Hereditaments, which by virtue of this Act shall be restored or confirmed to any former Proprietors of the Popish Religion, or granted to any the Roman Catholicks of Ireland, such further and other sums as they shall think fit, for the raising and levying of Thirty thousand pounds sterling, in the most equal and indifferent way that may be, to be paid unto the Receiver herein after mentioned, by two or more equal payments, the first payment thereof to begin upon the first day of May, which shall be in the year of our Lord God, 1666. & the second day of payment to be upon the first day of November, in the year

His Majesties title to any forfeited Lands for Lapsed money released and discharged.
30000. l.
to be raised by order of the L. & Council.

3000. l. of
the said sum
to be paid
to Richard
Stratford
Gent.

of our Lord, 1666. and in case any person or persons liable to the payment of any part of the said 30000. pounds so as aforesaid, to be assessed and imposed, shall make default of payment, by the space of one and twenty days next after any the days and times wherein the same ought to be paid, then the person so making default shall be chargeable, and is hereby charged with double the sum which ought to have been paid as aforesaid; and the Vice-Treasurer of Ireland, for the time being, shall issue out and pay, or cause to be issued out and paid unto Richard Stratford of London Gentleman, his Executors, Administrators and assigns the sum of 3000. pounds sterling, and the residue thereof being 27000. pounds, and all other the forfeitures and penalties which shall be incurred for non payment of the said 30000. pounds, unto such person and persons, and to and for such uses as the said lapsed moneys, or the Lands to be set out in satisfaction of the same, were or ought to have been granted, in pursuance of his Majesties several and respective Letters under his Royal Signet, bearing date upon the tenth or Eleventh, or the twelfth day of February, in the fourteenth year of his Majesties Reign, and in the year of our Lord, 1662. or by any other Letters under His Majesties Royal signet, or by any Letters Patents to Roger Earl of Orrery, or others, Any thing in this or the said former Act, contained to the contrary notwithstanding.

Customs
&c. of
Strangford
and Ard-
glais to be
enjoyed by
his Majesty

And be it further enacted by the authority aforesaid, that all the customs, duties and impositions of what nature or kind soever which are or shall be due for any goods, wares or merchandize imported into or exported out of the ports and havens of Strangford and Ardglais, or either of them, or any the members thereof, or Creekes thereunto belonging, heretofore the inheritance of Wentworth late Earl of Arldart, and by him sold unto his Majestie, shall be and are hereby vested in the Kings Majestie, and shall be held and enjoyed by his Majestie, his Heirs and Successors, any defect in the conveyance thereof to his Majestie or other matter or thing to the contrary notwithstanding.

Executors of
Sir Maurice
Custace to
be paid the
purchase
money of
Chappel
Izzod.

And be it further Enacted by the authority aforesaid, That the Capital messuage, mills, manors, towns and lands of Chappel Izzard, alias Izzod, with all the Rights, members and appurtenances thereof heretofore conveyed or mentioned to be conveyed or contracted for, by or in behalf of the Kings Majestie, and agreed to be conveyed by Sir Maurice Custace Knight, late Lord Chancellor of Ireland, unto the Kings Majestie, and for which part of the purchase money hath been paid by the Kings Majestie unto the said Sir Maurice Custace in his life time, shall upon payment of the residue of the purchase money unto the lawfull Executors of him the said Sir Maurice Custace, be and is hereby vested in the Kings Majestie, his Heirs and Successors, and shall be held and enjoyed by His Majestie, his Heirs and Successors against the said Sir Maurice Custace and his heirs, and all and every other person and persons claiming by from or under him, or them or any of them any defect in the conveyance or assurance of the premises, any thing in the said former Act or this present Act and any other matter or thing whatsoever to the contrary in any wise notwithstanding.

Major John
Peile to be
repaired.

And be it further Enacted by the authority aforesaid, That the Commissioners for execution of this Act, shall set out & allot, or cause to be set out and allotted unto Major John Peile so much of the undisposed and forfeited Lands in the Barony of Barrymore in the County of Cork, as may be sufficient to reprice him the said John Peile for the Houses

Houses in Waterford, whereof his Father was seized and possessed the two and twentieth of October 1641. any thing in the said former Act or this present Act contained to the contrary notwithstanding.

And be it further Enacted by the authority aforesaid, That the Com-
missioners for Execution of this present Act, shall restore unto Sir Luke Bath Baronet, and his Heirs all the Castles, Houses, Mannors, Lands, Tenements and hereditaments, Rents, Reversions or Remainders, Right, title, Interest and Estate whatsoever, which he the said Sir Luke Bath, or his deceased Father James Bath, or any other in trust for them or either of them, or to their or either of their use, was seized or possessed on the two and twentieth day of October, 1641. (except the houses and Lands within the City of Dublin and Liberties thereof also except all impropriations and Appropriate tythes) which said Mannors, Lands, houses and Hereditaments so, as aforesaid, to be restored, shall after such restitution be held by the said Sir Luke Bath, and his Heirs and Assignes, and shall be subject to such Quit-rents, services, and other payments, as the same are made lyable unto by this Act, and would have been charged with, in case the same had continued in the possession of any the Adventurers or Souldiers, or of their or any of their Heirs or Assignes; And it is hereby Declared and Enacted, That the Commissioners for execution of this Act, shall forthwith set out and allot unto the said Sir Luke Bath and his heirs, so much forfeited Lands in lieu of the said houses and lands in Dublin, formerly belonging to him the said Sir Luke Bath or his Father, and to which he is not to be restored, as may be sufficient to reprice him the said Sir Luke Bath and his heirs for the houses and Lands aforesaid; And the said Commissioners are also to set out and allot unto His Royal Highness James Duke of York and his Heirs, so much other forfeited Lands as may be equal in value, worth and purchase, for what he hath in Custodiam of the Estate of Sir Luke Bath, and that the Adventurers and Souldiers, and the Officers who served before the fifth of June 1649. and all other who are possessed of, or intitled unto any of the estate of the said Sir Luke Bath, according to this Act, shall be likewise reprized in two full third parts of the value of their respective interests, before the said Sir Luke Bath be restored to such part of his estate from whence they are to be removed, Any thing in this Act, or the former Act, or any other Law, Statute, Ordinance, Writ, Attainder, Record, Sequestration, Allotment, or any other cause, matter or thing to the contrary notwithstanding.

Provided always, and be it further enacted by the Authority aforesaid, That the Commissioners for execution of this Act, shall forthwith and without slaying for any previous reprizal, restore unto Garret Moor of Mourne in the County of Mayo Esq; his heirs and assigns, all and every the Mannors, Castles, lands, tenements, reversions, remainders, and all other hereditaments, right, title, condition, and other interest and estate whatsoever, which he the said Garret, or his Father, or any other in trust for them, or either of them, or for either of their uses, had, held, possessed or enjoyed. or ought to have had, held, possessed or enjoyed on the 22th of October 1641. and that after such restitution, and in lieu and satisfaction thereof, the Commissioners do likewise with all convenient speed set out & allot, or cause to be set out and allotted unto the adventurers and Souldiers, their Heirs, Executors and Assigns respectively, who shall be removed to make way for such restitution, their several and respective two third parts, out of some other undisposed forfeited Lands, Any thing in this or the said

Sir Luke Bath to be restored to all

Except.

His Royal Highness, adventurers and Souldiers to be reprized

Prebiso for Garret Moor Esq;

For Edmond
L. Vice-
count
Mount-
garret.

former Act contained to the contrary notwithstanding.
Provided always, and be it further Enacted by the Authority aforesaid, That the Commissioners for execution of this Act do forthwith and without staying for any previous reprisal, restore unto Edmond Lord Vice-count Mountgarret, his heirs and assigns, his and their principal and Capital Messuage, with the appurtenances, and shall also forthwith restore unto the said Edmond Lord Vice-count Mountgarret, his heirs and Assignes, all and singular other the Messuages, Mannors, Castles, Lands, Tenements, Reversions, Remainders, and other Hereditaments, Right, Title, Condition and other Interest and Estate whatsoever, which he the said Edmond Lord Vice-count Mountgarret, or his father, or any other in trust for them, or either of them, or for either of their uses, had, held, possessed and enjoyed, or ought to have had, held, possessed or enjoyed on the two and twentieth of October, 1641. and whereof no adventurer or Souldier, nor the Heir, Executor, Administrator or Assignee of any Adventurer or Souldier is now in possession (Impropriations or appropriate tythes onely excepted) And that all and every the Lands, Tenements and Hereditaments whereof the said Edmond Lord Vice-count Mountgarret, or his father, or any other person or persons in trust for him or to his use, were seized or possessed on the said two and twentieth day of October, 1641. and which are now in the possession of any Adventurer or Souldier, or of the Heir, Executor, Administrator or Assignee of any Adventurer or Souldier shall after their several and respective full two third parts to them set out and allotted out of other forfeited and undisposed Lands in satisfaction of their several and respective interests, be likewise set out and allotted unto and placed in the possession of him the said Edmond Lord Vice-count Mountgarret and his Heirs, any thing in this or the said former Act to the contrary notwithstanding.

for Colonel
Lucastaaffe
and Elizabeth
his
wife.

Provided always & be it further enacted by the authority aforesaid, That the Commissioners for Execution of this Act, shall forthwith restore unto Colonel Lucas Taaffe and Elizabeth his wife all and singular the Joinctures, portions, Lands, Tenements and Hereditaments and other interest whatsoever which the said Elizabeth or any other in trust for her or for her use had or ought to have had, held, possessed or enjoyed the two and twentieth of October 1641. or at any time since, any thing in this Act or any other Act contained to the contrary notwithstanding.

adventurers
Souldiers &
Officers
to be first
repaired.

Provided nevertheless that no reparable Souldier, Adventurer, Officer serving before the fifth of June, 1649. or Protestant Purchaser in Connaght or Clare, be removed out of any part of the premises, which they are to have by the rule of this Act. before they be first repaired for the same according to the said rules.

Richard C.
of Burlington
son to have
preference
of purchase
of Poughill.

And be it further Enacted by the authority aforesaid, That Richard Earl of Burlington and Corke, Lord High treasurer of Ireland, his Heirs and Assignes in the Distribution and setting forth of the security appointed for the satisfaction of the arrears of the Commissioned Officers who served your Majestie, and your late Royal Father in Ireland before the fifth of June, 1649. shall have the preference and præmption of all the forfeited houses, Lands, Tenements and hereditaments in the town of Poughill or the liberties thereof, belonging unto and which are part of the said securities, at the rate of Eight years purchase as they are or shall be found to be really and bona fide worth, and that Arthur Earl of Anglesey Vice-treasurer of Ireland,

his heirs and assigns shall have like preference and preemption of all the forfeited houses, lands, tenements and hereditaments in the town of Rosse in the County of Wexford, or the liberties thereof, belonging unto and which are part of the said securities, at the rate of eight years purchase, as they are or shall be found to be really and Bonâ fide worth, and if any doubt or difficulty shall arise concerning the value of the said houses or lands, so as the Trustees for the said Officers, shall not be satisfied with the return already made of the value of the same, that in such case upon the desire and request of the said Trustees, there shall be a new Survey and valuation of the said towns and liberties thereof, by such persons as shall be appointed by the Commissioners for the Execution of this Act, by and with the consent of the said Trustees, according to which return the said houses, lands, tenements and hereditaments, are to be sold and not otherwise, And in case the said Earls, their heirs and assigns, or any of them, shall offer unto the said Commissioners for the execution of this Act, any debentures of Officers who served as aforesaid before the fifth of June, 1649. for or in part of payment for all, or so much of the said houses and premises in the said several towns, as shall be by them respectively contracted and agreed for, that the same shall be allowed, and the said Commissioners are hereby authorized, and required to accept and receive the same, for all or in part of the purchase money, so as the said Debentures are capable of prior satisfaction, and there has been such deductions and defalcations made as are directed by this Act, and the said former Act, and shall not be accepted to satisfy more in the pound than the whole security will hold out to satisfy the Debentures of the rest of the said Officers: and the said Commissioners are also required and authorized to give such certificates as are necessary for the passing of Patents thereof, according to the rules of this Act.

Arthur C.
of Anglesey
to have pre-
ference of
purchase of
Rosse.

And whereas there is a Lease granted of a House in Dublin, called Cork-house, with the appurtenances, unto the Right Honourable Richard Earl of Corke and Burlington, by the name of Richard Earl of Cork Lord High Treasurer of Ireland, from James Hargetton Doctor of Divinity, Treasurer of the Cathedral Church of St. Patricks Dublin, by the approbation of the Archbishop of the same Diocess, and in obedience to his Majesties Letters of recommendation to that purpose, dated the 20th. of July, 1660. and confirmed by the several Deans and Chapters both of the Holy Trinity Dublin, and St. Patricks Dublin, bearing date the 23th. of January, 1660. for the term of 40. years from the Feast of the Nativity of our Blessed Saviour then last past, which was made upon good and valuable considerations, Be it therefore Enacted and it is hereby Enacted and ordained by the authority aforesaid, That the said Richard Earl of Corke and Burlington, his Executors and Assignes, shall and may have, hold and enjoy the said house with the appurtenances mentioned in the said Lease, for and during the years therein mentioned, at the Reservations thereby reserved, any thing in this Act, or any other former Act or Statute to the contrary notwithstanding.

Earl of
Corke
House Con-
firmed.

Provided alwayes and be it Enacted, that all and singular the Lands Tenements and Hereditaments, which Arthur Lord Vice-count of Valentia and Earl of Anglesey hath purchased from any person or persons in actual possession thereof, by virtue of any Grant, Order or Disposition of the late Usurped Powers, or any of them, the Lands and Tenements Decreed away by the Commissioners for the Execution of the said former Act, onely excepted, shall be settled, and are hereby

Arthur C.
of Anglesey
to have full
benefit of
former Act.

h h h h h h h

hereby

hereby granted and confirmed unto him, his Heirs and Assignes, and he and they shall have, hold and enjoy the same; and that for such of the said estates, or any part thereof as have or hath been Decreed away as aforesaid, or shall be decreed away in pursuance of this Act by the Commissioners appointed, or to be appointed, for the execution thereof, the said Earl, his heirs and Assignes, shall, forthwith be fully repized for the same, and without any Retrenchment by the said Commissioners, by so much forfeited lands as may be sufficient to make up & supply unto the said Arthur Earl of Anglesey, his Heirs & assigns, what was or is granted, or intended to be granted by the said Act, or by this Act: & the said Earl, his heirs & assigns shall have, hold & enjoy all other the benefits & advantages in & by the said former Act given, granted or provided or intended to be given granted or provided to or for the said Earl, his heirs or assigns, any thing in the said former Act or in this present Act, or otherwise to the contrary notwithstanding.

John Bence
& Alexander
Bence
Esq; made
receivers of
all moneys
payable by
this Act.

Except.

And be it further explained, declared and Enacted by the Authority aforesaid, That all and every payment and payments, sum and sums of money which are and shall be made by any adventurer, Officer and Souldier, Connaght-purchasor, Irish Papist, Popish recusant, Roman Catholick or others, out of or for any of the said forfeited, vested or escheated lands, tenements, hereditaments and estates, by virtue or in pursuance of His Majesties said declaration, instructions, the said former, or this present Act, or by all, every or any of them, to or for any use or uses, intent, end or purpose therein respectively mentioned, expressed, declared, limited or appointed: Excepting onely the Quit-Rents and other chief-Rents reserved and payable unto his Majestie, his heirs and successors, and such other sums as are herein otherwise directed to be paid, shall be paid for the said uses, intents and purposes into the hands of John Bence and Alexander Bence Esquires, or either of them, who are hereby constituted and appointed jointly and severally to Collect and receive the same, and to be Collectors and receivers thereof by themselves or their Deputy or Deputies respectively, whose Acquittance or Acquittances, Receipt or Receipts for the said several and respective payments, sum and sums of money, being entered and signed as after is directed, shall be firm, valid, effectual and sufficient discharges in Law for the same respectively: And to the end our said Vice-treasurer may know what sums of money he is to receive, all Acquittances which shall be given as aforesaid, are to be entered and signed by the several Officers of the Exchequer, according to the accustomed manner of Acquittances: All which payments, sum and sums of money the said Receiver or Receivers are to accompt for and pay over unto Arthur Earl of Anglesey, his Majesties Receiver General and Vice-Treasurer of this Kingdom, or to the Receiver General and Vice-Treasurer of this Kingdom for the time being, to be disposed of, issued and paid out by him to and for the several uses, intents and purposes unto which, and in such manner as the same are respectively designed, limited or appointed, and to no other intent, use or purpose: upon the issuing whereof, the said Earl of Anglesey, or the Vice-treasurer for the time being, shall take the usual accustomed fees payable for other moneys, And the said Collector or Collectors, Receiver or receivers for their pains, care and service herein, shall have, take, receive and deduct out of and for the respective payments, sum and sums of money which they shall so receive, pay over or accompt for such fees as were formerly allowed unto and taken by the former Receivers of the money payable by the Adventurers and Souldiers, Any thing

thing in the said former or this present Act to the contrary in any wise notwithstanding Nevertheless it is hereby declared, that the Commissioned Officers who served before the fifth of June, 1649. shall be and are hereby discharged of and from the payment of any fees due and payable unto the said John Bence and Alexander Bence Receivers aforesaid, for or out of any Debentures due to the said Commissioned Officers, but that the said John Bence and Alexander Bence shall in lieu of and satisfaction for the same, receive such compensation and recompence out of the Rents, Issues and Profits of the Security appointed for satisfaction of the said Debentures, as the Lord Lieutenant and Council shall think fit.

Provided always, and be it further Enacted by the Authority aforesaid, That the Commissioners for execution of this Act, do forthwith and without staying for any previous Reprial, restore unto Theobald Lord Vice-Count Mayo, his heirs and assigns, his and their principal and capital Messuage, with the appurtenances, and shall also forthwith restore unto the said Theobald Lord Vice-Count Mayo, his heirs and assigns, all and singular other the messuages, manors, castles, lands, tenements, reversions, remainders, and all other hereditaments, right, title, condition, and other interest and estate whatsoever, which be the said Theobald Lord Vice-Count Mayo, or his father, or any Ancestor whose heir he is, or any other in trust for them, or any of them, or for any of their uses had, held, possessed or enjoyed, or ought to have had, held, possessed or enjoyed on the 22th. of October 1641. and whereof no adventurer or souldier, nor the heir, executor, administrator, or assignee of any adventurer or souldier is now in possession (Impropriations or Appropriate tythes only excepted) And that all and every the lands, tenements and hereditaments whereof the said Theobald Lord Vice-count Mayo, or his father, or any other ancestor whose heir he is, or any other person or persons in trust for them, or any of them, were seized or possessed on the said 22th. day of October, 1641. and which are now in the possession of any adventurer or souldier, or of the heir, executor, administrator or assignee of any adventurer or souldier, shall after their several and respective full two thirds parts to them let out and allotted out of other forfeited and undisposed Lands, in satisfaction of their several and respective interest be likewise let out and allotted unto, and placed in the possession of him the said Theobald Lord Vice count Mayo and his Heirs Any thing in this or the said former Act to the contrary notwithstanding.

Provided always, and be it further Enacted by the authority aforesaid, That nothing herein contained shall in any sort prejudice the right, title or interest of Captain Owen Mac Carthy of Clogheroe in the County of Cork, unto any of the Lands, Tenements, or Hereditaments in the said County, mentioned or specified in his Claim, upon which he was adjudged innocent by the late Commissioners, but left to the Law for the recovery of the same: And that the Lands so claimed by him shall continue and remain in his Majesties hands, undisposed of, for the space of twelve months next after the passing of this Act, to the end that the said Owen Mac Carthy may within that time make out his right and title hereunto, if any he have, and cause the same to be adjudged and determined by due course of Law: And in case the said right and title be not made to appear, and be determined as aforesaid, within the time aforesaid, then all and singular the said Lands shall and may be disposed of as any other forfeited Lands by this Act, ought to be Any thing in the said former Act, or this present

Act,

Act,

Act to the contrary in any wise notwithstanding.

Marquess of
Clanricard's
arrears to
be satisfied

And be it further Enacted by the authority aforesaid, That the arrears due unto the late Marquess of Clanricard, for the several times and employments he had in this Kingdom before the tenth of December, 1650. be allowed and satisfied to the Executors or Administrators of the said Marquess of Clanricard, out of the securities set apart for satisfaction of the Commissioned Officers, who served before the fifth of June 1649. And that the said executors and administrators be and are hereby admitted and allowed to state all the said arrears due to the said Marquess of Clanricard before and until the tenth of December 1650. before the Commissioners for execution of this Act, before any distribution made of the said securities, Any thing in this Act, or the said former Act contained to the contrary notwithstanding.

Provided for
Charles
late Lord
Vice count
Muskry &
his heirs.

His Majesty taking into consideration the many good and faithful services performed by Charles late Vice-Count Muskry in Foreign parts, and particularly that in consequence of the disposition of Dunkirk, the state of his Majesties affairs did not admit the continuance of the pay of the Regiment of Foot commanded by the said Charles Vice-Count Muskry, was therefore graciously pleased by his Royal Letters of the sixth of April, in the 15th. year of his Reign, to direct & appoint that all the lands in the Barony of Muskry, in the county of Cork forfeited to his Majesty, & not set out to souldiers or adventurers, nor restored to the former Proprietors, the greatest part whereof were held of the estate of Donogh Earl of Clancarty, the said Charles his Father, should be by one or more Grant or Grants passed under the Great Seal of Ireland, unto the said Charles late Vice-Count Muskry, his heirs and assigns for ever, to his and their use and uses without any accompt to be given for the same to his Majesty, his Heirs or Successors, as by the tenor of the said Letter more at large may appear, since which time the said Charles late Vice-Count Muskry hath ended his long continued services by the loss of his life in the late expedition at Sea against the Hollander, his Majesty is therefore graciously pleased pursuant to his said former Royal intentions, That it be enacted, and be it enacted by the authority aforesaid, That the Commissioners for execution of this Act, shall set out and allot unto Charles-James Mac Carthy now Vice-Count Muskry, son and heir to the said Charles Vice-Count Muskry, all the forfeited lands in the said Barony, not set out formerly to adventurers and souldiers, nor restored to the former Proprietors, And that the said Commissioners shall quiet and establish the said Charles-James Vice-Count Muskry in the possession thereof, which he is to hold, possess and enjoy to him and the heirs males of his body, and for want of such issue, the remainder to the said Donogh Earl of Clancarty, and the heirs males of his body begotten, the remainder in fee to the right heirs of the said Earl, Any thing in this Act, or the said former Act to the contrary notwithstanding: And that Certificates be thereof granted in order to the passing of Letters Patents: Provided nevertheless, That the said Donogh Earl of Clancarty, Grandfather to the said Charles-James now Vice-Count Muskry, or the now Countess of Clancarty, if she survive the said Earl, may by way of Lease for years of any part of the premises, or by grant of a Rent-charge for years out of the premises, or otherwise, as to him the said Donogh, or to her the said Countess if she survive, shall seem meet, afford such relief out of the premises to the former Proprietors thereof, as he or she shall find do best merit the same, and what he or she shall do therein, is hereby allowed of, & made good and valid in Law.

And

And whereas Sir Philip Percival Knight deceased, for and on the behalf of Thomas late Earl of Strafford, and Sir George Radcliffe Knight deceased, and their heirs, in or about the year 1636. did contract and agree with Teige O Connor Sligoe, uncle and heir in taile to Donogh O Connor Sligoe then lately deceased, and also with Edmond Mac Jordan and Dorothy his Wife, sole sister and heir general to the said Donogh, for divers Lordships, manors, castles, lands, tenements and hereditaments, in the County of Sligoe, being formerly the estate of the said Donogh O Connor Sligoe, whereupon several summs of money were paid, disbursed and secured to be paid by the said Sir Philip Percival, to the said Teige O Connor, Edmond Mac Jordan and Dorothy his Wife, and to some other person or persons by their or some of their consent, direction or appointment, for the freeing, discharging & disengaging the said premises of or from some mortgages, leases or incumbrances thereupon or some of them, but no legal conveyance were or could then be made or perfected to him the said Sir Philip Percival by reason of the Grand Office then lately found in the Province of Connaght, whereby his Majesty was intituled to the said lands amongst divers others in the said Province, Be it therefore further enacted by the authority aforesaid, That all and singular the said lordships, manors, castles, lands, tenements and hereditaments, with the appurtenances formerly belonging to the said Donogh O Connor Sligoe and the said Teige O Connor Sligoe, or to either of them, shall be and are hereby settled upon William Earl of Strafford son and heir of the said Thomas Earl of Strafford, and Thomas Radcliffe Esq; son and heir of the said Sir George Radcliffe, and their heirs under the rents and services due and payable thereout to his Majesty in the year 1641. And that they the said William Earl of Strafford, and Thomas Radcliffe, and their heirs be forthwith settled in the possession of all and singular the said lordships, manors, castles, lands, tenements and hereditaments, by the Commissioners appointed or to be appointed for the execution of this Act, any thing in the aforesaid Act, or in this Act contained to the contrary in any wise notwithstanding: And be it further enacted that all depositions and examinations of witnesses that have been taken in a cause lately depending before the Lord Lieutenant and Council of Ireland, between the said William Earl of Strafford, and Thomas Radcliffe Esq; and Sir John Percival Plaintiffs against Martin O Connor Grand-son and heir to Teige O Connor Sligoe Esq; deceased, Richard Lord Baron of Coloony and others Defendants, shall and may be read and made use of as good proof for all such lands, tenements and hereditaments as by the said depositions have been proved to be part of the said Donogh O Connors estate: And be it further enacted by the authority aforesaid, That the said William Earl of Strafford, and Thomas Radcliffe or either of them, their heirs or Assignes, shall within six months time after the passing of this Act, pay or cause to be paid all such sum or sums of money, as shall within the time of the said six months be made appeare to be justly due from the said Teige O Connor Sligoe, Edmond Mac Jordan and Dorothy his Wife, Sir Philip Percival, Thomas late Earl of Strafford, and Sir George Radcliffe or any of them, their heirs or assignes of any of them, or by them or some of them already paid for & towards the purchasing and buying off, of any of the said Mortgages, Leases, or Incumbrances which were upon the estate of the said Donogh O Connor at the time of the said contract made as aforesaid, which sum or sums of money so made

Donogh O
Connor Sligoe & Teige
O Connor,
Sligoe's estate
settled upon
William C.
of Strafford
and Thomas
Radcliffe
Esq;

all sums of
the money for
the buying
of incum-
brances to
be paid in
his Majesty's
treasure.

Except.

appeare to be due as aforesaid from the said Teige O Conner, Edmund Mac Jordan, and Dorothy his Wife, Sir Philip Percival, Thomas late Earl of Strafford and Sir George Radcliffe, their heirs or Assignes or any of them, or by them or any of them, deposited in the Clerk of the Councils hands in Order to the buying off, of any of the said Mortgages, leases or incumbrances, shall be and are hereby vested in and made payable unto his Majestie, his Heirs and Successors, to be disposed of by his Majestie as by his Signet and Sign manual he shall declare and appoint, Saving and excepting hereout such sum and sums of mony as shall appear to be justly and legally due by one Mortgage upon part of the said estate, made by the said Donogh O Conner to certain Ffcoffers to the use of the children of Sir Francis Blundell, their heirs or assignes.

adventurers
Souldiers
and 49.
Officers to
be repzied
two full
third parts.

Provided that the adventurers, Commissioned Officers who served before the fifth of June, 1649. and Souldiers who are now in possession of all or any the said Lands, or ought to have the same according to the rules of this Act, and are by virtue hereof to be removed from the same, shall have so much other forfeited lands set out to them by the Commissioners for the Execution of this Act, as may be sufficient to repzize and satisfie them for two full third parts of the Lands from whence they are to be removed, and certificates shall be thereof granted in order to the passing of Letters Patents, which shall be of like force and effect as any other Letters Patents granted in pursuance of this Act, are or ought to be, And they and every of them are hereby likewise discharged for them, their heirs and Executors respectively, of and from all arrears of rent and meafne profits received or to be received by them at any time before they shall be removed as aforesaid.

Proviso for
Sir Francis
Goze and
Capt. Ro-
Parkes.

Provided also, that the Town and Lands of Bradcullen, and so much lands contiguous about the same, as may amount unto three thousand acres of profitable land, with the appurtenances, which by the said Contract made with the said Teige O Conner, were to have been given or assured to the said Teige O Conner and his heirs, shall be and are hereby excepted from being settled upon the said William Earl of Strafford and Thomas Radcliffe, and their Heirs, or any of them, and shall remain disposeable between Sir Francis Goze Knight, and Captain Robert Parkes, according to their severall proportions of what they respectively possess of the said estate, and what by the rules of this Act shall belong to them respectively, and are to be reckoned and numbred out of such Lands which are now in their or either of their possessions, most contiguous to the said Town of Bradcullen, in pursuance of the said Contract.

for William
Earl of Stra-
ford and
Thomas
Radcliffe
et seq.

And whereas the said Sir Philip Percival and Sir George Radcliffe or one of them, did (besides the said Donogh O Connors estate) in like manner purchase some other small parcels of lands, tenements and hereditaments in the said County of Sligoe, from several other persons, Be it further Enacted by the Authority aforesaid, That the said William Earl of Strafford and Thomas Radcliffe shall be and are hereby restored to all the Estate, Right and Title which the said Thomas late Earl of Strafford and Sir George Radcliffe, or either of them had either in Law or equity in or to the said last mentioned lands, tenements and hereditaments in the year 1640. And that they the said William Earl of Strafford and Thomas Radcliffe, shall by the said Commissioners for execution of this Act, be forthwith restored to the possession of all such of the said last mentioned lands, tenements and hereditaments whereof the said Thomas late Earle of Strafford

Strafford and Sir George Radcliffe, or either of them, or any other person or persons to their or either of their uses, or in trust for them, or either of them, were seized or possessed in the said year, 1640. under the rents and services due and payable thereout to His Majestie in the said year: And forasmuch as the Adventurers and Souldiers, & Commissioned Officers, who served before the fifth of June 1649, and are now in possession of, or claim the same, may the better know whether they may hold the said lands, or take themselves to their Reprizals, the said Commissioners are required to hear and determine of the said purchases, and of the right, title and interest either in Law or Equity which they the said William Earl of Strafford & Thomas Radcliffe have or had in or to the said last mentioned lands, and to reprice the said Adventurers, Officers and Souldiers in other Lands of equal value, worth and purchase, according to the rules of this Act, in case the said Lands shall be evicted from them as aforesaid, who are hereby discharged of and from all arrearsages of rent and mean profits received at any time before they shall be removed from the said last mentioned lands, any thing in this or the said former Act, to the contrary notwithstanding.

And be it further Explained, Declared and Enacted by the Authority aforesaid, That all and singular the Lands, tenements and Hereditaments, and other estates, with their and every of their members and appurtenances, of, within or appertaining to the half Barony of Erris, alias Errus, or Erris, and the parish of Dunkiney, alias Ducuni adjoining unto Erris in the county of Mayo and the parish of Termon-barry, alias Tearmon-beary in the County of Roscommon, and all and every or any of them vested in, settled on, forfeited to, or belonging (upon the said three and twentieth of October 1641. or at any time since) unto Your Majestie or your Royal Father, together with all the Mines and Minerals therein (Royal Mines excepted) and all fishings on the Sea coasts of the same, as also on the Loughs and fresh Rivers and waters thereunto in any wise belonging or appertaining, be and they are hereby as from the five and twentieth day of March 1665. in the Seventeenth year of your Majesties Raign, vested in, settled on and granted unto Sir Robert Wyner Knight, Thomas Wyner Esq; James Temple, Henry Lewis, and Silbanus Hyde of London Gent. their Heirs and Assignes for ever, to be held of your Majestie, your heirs and Successors, as of your Castle of Dublin, in free and Common Socage, at and under the yearly Rent of fifty pounds to be paid into your Majesties Exchequer at Michaelmas and Easter, by equal portions, & that Thomas Earl of Ossory, Richard Earl of Burlington & Cork, Roger Earl of Orery, & Richard Earl of Arran Robert Boyle Esquire, their Heirs & Assignes for ever, shall possess & enjoy the full benefit, advantage and effect of your Majesties gracious Letters under your Royal Signet, Bearing date the five and twentieth day of March, 1662. in the fourteenth year of your Raign, for granting of several houses and lands unto Sir James Shaen, his Heirs and Assignes for ever, in, for or towards satisfaction of Adventures or Arrears for service done in Ireland, and other interests confirmed, allowed or satisfied by, or intended, allowed, confirmed or satisfied by or in pursuance of your Majesties said Gracious Declaration of the Thirtieth of November 1660. and other Concessions consistent with, and agreeable to the same, And also to have, hold and enjoy to them, their Heirs and Assigns for ever, the full benefit, Advantage & effect of your Majesties Letters under your Royall signet,

Halsbaron
of Erris &c.

Settled and
Granted
unto Sir
Robert
Wyner &c.

Thomas
Earl of Or-
ery and o-
thers to
have bene-
fit of his
Majesties
Letters.

bearing date the foure and twentieth day of July, 1665. in the seuententh year of your Reign, in trust for and to the uses, intents and purposes therein expessed, mentioned and declared, Excepting onely what concerns the Lands and premisses in Ferris, Dunfyny and Tearmonbrary, or any of them, Any other Clause, Proviso, Sentence, matter or thing whatsoever in the said former or this present Act contained, or any retrenchment, order or other matter or thing to the contrary in any wise notwithstanding, so far forth as the Lord Lieutenant or other Chief Governour or Governours of this Kingdome for the time being, shall finde the severall matters and things herein contained to be consistied with or agreeable unto your Majesties said Declaration, the said former or this Act, or any of them.

Clause for
Francis
Farrell Esq;

And be it further Enacted by the authority aforesaid, That nothing in the said former or this present Act, may or shall in any sort impeach the innocency of, or otherwise prejudice Francis Ferrall of Moznine in the County of Longford Esq; but that he shall be and he is hereby restored unto all and every the Lands, Tenements and hereditaments claimed by him, whereof he was possessed the Three and twentieth of October 1641. and there unto rightfully intituled, & are particularly recited and mentioned in his Decree from the late Commissioners, whereby he is adjudged an Innocent person, Notwithstanding his taking of lands in Connaght, or any other cause, matter or thing to the contrary.

for Sir Con-
nel farrell
Knight.

And be it further Enacted by the Authority aforesaid, That the Commissioners for the execution of this Act, shall forthwith set out and restore to Sir Connel Farrell Knight and his heirs, all and singular the Messuages, Mannors, Lands, Tenements and hereditaments which in and by the said former Act were granted and restored, or mentioned, meant or intended to be granted and restored unto the said Sir Connel Farrell, and all other the benefits and advantages of the said former Act, And that certificates be thereof granted unto the said Sir Connel Farrell, in order to the passing of Letters Patents accordingly; And the said Commissioners are likewise to set out to Cornet Robert Heredith, and all others who were or are seized or possessed of any of the said Lands, Tenements or Hereditaments in satisfaction of any Adventures or Arrears, such other forfeited Lands as may be equal in quantity of Acres unto two full third parts of the Lands so to be restored, any thing herein before contained to the contrary notwithstanding.

Cornet Ro-
bert Here-
dith to be
reppized.

Proviso for
Colonel
John Kelly

Provided also and be it further Enacted, that the Commissioners for Execution of this Act shall forthwith and without staying for any previous reppizal, restore unto Colonel John Kelly of Skryne in the Barony of Athlone and County of Roscomon, his heirs and Assignes, all and every the Mannors, Castles, Lands, Tenements, reversiones, remainders and all other hereditaments, Right, title, condition and other interest, and estate whatsoever which he the said John Kelly, or any other in trust for him or to his use, had, held, possessed or enjoyed, or of Right ought to have had, held, possessed or enjoyed upon the two and twentieth day of October 1641. And that after such Restitution & in lieu and satisfaction thereof, the Commissioners do likewise with all convenient Speed set out and allot, or cause to be set out and allotted unto the Adventurers, Souldiers, Protestant purchasors of Lands in Connaght and Clare, before the first day of September, 1649. or their Trustes, and their heirs, Executors and Assignes respectively, who shall be removed to make way for such restitution, their

several

several and respective two third parts, or such other satisfaction as will be due to them by the rules of this Act, out of some other forfeited and undisposed Lands, any thing in this or the said former Act contained to the contrary notwithstanding.

And whereas his Majestie in and by certain Letters Patents under the Great Seal of Ireland, did give and grant unto Sir Henry ^{for Sir Henry} Talbott Knight, certain Lands in Connaught, in Exchange of and for ^{for Sir Henry} certain other lands of his the said Sir Henry Talbott, adjoining to the Castle of Dublin, and convenient for his Majesties service; It is therefore hereby provided and Enacted, That it shall and may be lawfull to and for the said Sir Henry Talbott, to have, hold and enjoy to him and his heirs all and singular the lands, Tenements and hereditaments in Connaught, in and by the said Letters Patents granted according to the tenor and effect of the same Letters Patents, any thing in this Act contained to the contrary in any wise notwithstanding.

And be it further Enacted by the authority aforesaid, That the Commissioners for Execution of this Act, shall forthwith set out and allot unto all and every the adventurers, Souldiers and Commissioned Officers who served before the fifth of June, 1649. their heirs and Assignes who now are seized or possessed of any Castles, Houses, lands, tenements & hereditaments, rents interests & estates whatsoever in this Kingdom, which Nicholas Plunkett of Balrath in the county of Meath Esq; now Sir Nicholas Plunkett Knight, rightfully had and enjoyed upon the two and twentieth of October, 1641. so much other forfeited lands as may be equal in value, worth and purchase to two full third parts of the lands whereof they are so possess, if they shall be willing to accept of such reprieve, and to be removed from the same, And that all and every the Messuages, lands, Tenements and hereditaments for which they or any of them shall accept of such reprieve, and from which they or any of them shall be removed as aforesaid, and the other third part of the premises and all other messuages, lands, tenements and hereditaments, Rents, Interests, trusts and estates whatsoever, which at the time aforesaid did belong to the said Nicholas Plunkett, shall be by the said Commissioners set out and allotted and granted unto James Hamilton Esq; one of the Grooms of his ^{the estate of} Majesties Bedchamber and his heirs, Executors, Administrators, and ^{Sir Nicholas} Assignes respectively, And in case any person or persons seized or possessed of the premises or any part thereof, shall not be willing to be reprieved for or removed from the same as aforesaid, the Commissioners for execution of this Act, shall forthwith set out and allot unto the said James Hamilton and his heirs, so much forfeited lands in some other convenient place as may be equal in value, worth and purchase to the said Lands, Tenements and hereditaments, or to so much thereof as the said Adventurers and Souldiers or other persons aforesaid, shall be unwilling to be removed from, and herein they are required to proceed with all convenient speed, any thing in the said former or this present Act to the contrary notwithstanding.

And whereas in and by the said former Act and the Declaration therein recited, it was provided that it should and might be lawfull to and for his Majestie to restore any innocent Papists who were dispossessed of their houses in Corporations to their severall and respective houses within the said Corporations, his Majestie is graciously pleased that it may be Enacted, & be it enacted, that the said clause & the power thereby reserved to his Majestie, shall be and is hereby repealed, released and discharged.

As k k k k k k k

Provi-

Clause for
restoring
innocent
papists to
houses in
Corporati-
ons repealed

proviso for
Richard
Stephens
Esq.

Provided always and it is hereby Enacted, that it shall and may be lawfull to and for Richard Stephens the younger to hold and enjoy to him and his Heirs, all and singular the messuages and lands, Tenements and other the Hereditaments situate, lying and being in and about the Town and Corporation of Kells in the County of Eastmeath, whereof he the said Richard Stephens the younger by himself or his under-tenants was seized or possessed upon the Seventh of May 1659. & which lye within the securitie set apart for the satisfaction of the Commissioned Officers who served before the fifth of June, 1649. be the said Richard Stephens placing thereupon so many Debentures for arrears due for service done before the said fifth of June, 1649. for which no satisfaction hath yet been given, and which are satisfiable by the rules of this or the said former Act, as do amount unto the full sum of three hundred pounds, any thing in this or the said former Act to the contrary notwithstanding.

for Sir
Theophilus
Jones about
Lucan

And whereas Sir Theophilus Jones Knight, was heretofore settled in and planted upon a Messuage and certain Lands in and about Lucan, and now by virtue of some Decree made by the Commissioners for execution of the said former Act, and herein confirmed, is onely to enjoy the said Messuages and Lands during the life of Patrick Sarsfield, who was declared nocent, after whose death the said Lands are declared to come unto William son of the said Patrick, an infant, and the heirs males of his body, by reason whereof the said Sir Theophilus Jones is likely to sustain great prejudice, if due consideration be not had of his improvements, Be it Declared and Enacted, That the commissioners for execution of this Act, shall forthwith set out and allot unto the said Sir Theophilus Jones, and his heirs, so much forfeited land as may be sufficient in value, worth and purchase, fully to repize the said Sir Theophilus Jones for the Messuage, Lands & Improvements which have been so evicted and decreed away from him, any clause, matter or thing in this or the said former Act to the contrary notwithstanding.

Pierce
Creagh con-
firmed in
the lands
of Con-
naught.

Provided always, That it shall and may be lawfull to and for Pierce Creagh, to hold and enjoy to him and his Heirs all and singular the Messuages, Lands, Tenements and Hereditaments in the province of Connaught, and County of Clare, or either of them, whereof he the said Pierce Creagh, is now in possession by himself or his Under-tenants, and into which the said Pierce Creagh was transplanted by the late Usurpers, Any thing in this or the said former Act to the contrary notwithstanding.

Fees of the
Officers of
both houses
of Parlia-
ment not to
exceed
5000. l

And because the adventurers & Souldiers are by this Act exempted from payment of such Fees to the Officers attending both houses of Parliament and others as in and by the said former Act might have been demanded or pretended to, as due, Be it therefore Enacted by the authority aforesaid, That it shall and may be lawfull to and for the Lord Lieutenant, or other Chief Governour or Governours of Ireland & Council there, to assess and impose upon all and every the Adventurers and Souldiers, who by the said former Act were lyable, or might be pretended to be lyable to the payment of such Fees, such further and other sums of money not exceeding five thousand pounds, as they shall think fit, and to cause the same to be levyed in such manner as any other the sums herein before imposed, are levyable, and to be paid to the Receivers aforesaid, to the end the same may be issued out unto and distributed amongst such Officers in such manner and according to such proportions as the Lord Lieutenant, or other Chief Governour and

and Council, after the advice of both Houses of Parliament thereupon
had, shall direct and appoint.

Provided always, and be it further Enacted by the authority aforesaid, that Colonel William Leg, one of the Grooms of his Majesties Bed-Chamber, shall in lieu of what hath been retrenched of his Wife's dower in the former Act, have, hold and enjoy to him and his heirs for ever all and singular the lands, tenements and hereditaments by his Majesties Letters Patents to him granted and passed under the Great Seal of Ireland, pursuant to and according to the tenor and effect of His Majesties Letters under His Privy Signet and Sign Manual, bearing date at Whitehal the nineteenth day of January, 1663. without any Retrenchment or Defalcation whatsoever, Any thing in this or the said former Act, to the contrary notwithstanding.

And be it further Enacted, That James Fitz Gerald of Laragh for James
in the county of Wexmeath, and his heirs, shall have the like restitu- first Gerald
tion, priviledges, advantages and benefits in all respects, as any of of Laragh.
the fifty four persons provided for by this Act, Any thing therein con-
tained or otherwise to the contrary notwithstanding.

His Majestie being fully satisfied of the constant loyalty and Inno- for Robert o
cence of Robert Arthur deceased late of Dublin Alderman, and of John John Ar-
Arthur his son and heir, who were both Inhabitants of Dublin, is thur.
graciously pleased, That it be enacted, and be it further Enacted by the
authorizty aforesaid, That the said John Arthur shall be by the said
Commissioners restored unto, settled and established in the quiet pos-
session, and shall thenceforth have, hold, possesse and enjoy to him
and his Heirs, Executors, Administrators and Assigns respective-
ly, all and singular the manors, houses, Castles, Lands, Tene-
ments and hereditaments, Reversions, Remainders, Leases, Rights,
Titles, Interests and Estates whatsoever in the Kingdom of Ireland,
which the said Robert Arthur, or any other person or persons in trust
for him or to his use, had, held or enjoyed on the twentieth second of
October, 1641. or at any time since, Except what thereof is in the
hands of Adventurers, or Souldiers, or is in the City of Dublin, for
which the said John is to be forthwith reprieved elsewhere, to the full value
thereof, as neer and contiguous to the said City, as conveniently may
be, and the said John Arthur is likewise restored unto, and is hereby
enabled to demand, recover and receive to his own use, all and singu-
lar the debts and sums of money which at any time heretofore were due
and owing to him the said Robert Arthur, and are still unpaid, This
present, or any other Act, Clause, matter or thing therein to the con-
trary notwithstanding.

And whereas Randall Marquess of Antrim, did on or about the 21. day of November, in the year of our Lord, 1637. demise and grant the Barony of Cary, the Lordship of Ballycastle. and the Island of Ratchcline, and all the Lands, Tenements and Hereditaments within the said Barony, Island and Lordship, unto Alexander Macdonnell, John Moore, Archibald Steward, and John Trayleman, for the term of 99. years from Michaelmas, 1637. in trust for payment of certain debts in a Schedule thereunto annexed, for which the said Alexander Macdonnell, John Moore, Archibald Steward, and John Trayleman, or some of them, were joyntly bound for the said Marquess, and for their Counter security against those engagements, which said Lease of ninety nine years was in and by a Clause in the said former Act, enacted to be of the effect and force in law, and no other, as the same was before the making of the said Act, and was al-

Marquess of
Antrims
debts Com-
Pounded.

Barque of
Antrim
Debris Com-
pounded.

so therein and thereby transferred from the said Lease unto and vested and settled in Martin Poell then Esq; now Sir Martin Poell Knight, Thomas Carleton Citizen and Mercer of London, and John Bradburne of the Middle Temple London Gentleman, in trust to dispose the Rents and profits thereof towards the payment of all such Debts as were intended by the said Lease to be secured, which Debts are yet but very ill secured, in regard the said Marques was but tenant in tail of the premises at the time of the making of the said Lease, and so still continues, by reason whereof the said Lease will become of no force and effect in Law after the Death of the said Marques, nevertheless to the end that some more certain & lasting provision may be made for the payment of such Debts as were thereby intended to be secured in such proportions and upon such terms and conditions as are herein after mentioned, Be it Enacted by the authority aforesaid, That the Reversion and Inheritance of all and singular the premises shall be and hereby is vested and settled in Martin Poell Esq; Son and Heir apparent of the said Sir Martin Poell, George Blake and John Robinson of the City of London Esquires, upon these trusts following: that is to say, if any person or persons, their Executors, Administrators or assigns to whom any Debt is owing which was intended by that Lease to be secured, will at any time before the nine and twentieth of September, 1667. accept of one moiety or half of his or their principal money due, and have interest for the said moiety from the time of such acceptance, at the rate of ten pounds per centum in full satisfaction of his or their whole debt intended by the said Lease to be secured, and shall declare his or their acceptance by writing under their hands and Seals, to be acknowledged before the Lord Chancellor, Master of the Rolls or any Master in Chancery either in England or Ireland, and to be registered in the Rolls of either Kingdom, and if the said Marques shall happen to dye after such acceptance declared and before the said moiety of the principal money, interest at the rate aforesaid, be fully satisfied and paid, then the said Trustees of the Reversion and inheritance of the premises, the survivor and survivors of them, and the heir of the survivor shall out of the Rents, issues and profits thereof, pay or cause to be paid the said Moiety of the principal with interest as aforesaid, or so much thereof as at the time of the said Marqueses Death shall be behind and unpaid, And if the said Marques or his heirs shall at any time before the nine and twentieth of September, which shall be in the year of our Lord 1675. pay or cause to be paid all and every such Creditors, their Executors or assigns, who before the nine and twentieth of September, 1667. shall compound as aforesaid, their full composition money with interest as aforesaid, then the Reversion and Inheritance of the premises shall be and is hereby transferred unto and vested and settled in the said Marques and his heirs, Nevertheless it is hereby declared and enacted, That no settlement of the Reversion and inheritance by this Act, nor any fine, Recovery or other Act or thing done or suffered or to be done or suffered by the said Trustees of the Reversion and inheritance of the premises without the privity and consent of him the said Marques, shall any wayes extend or be construed to give any strength or continuance to the said lease for ninety nine years, further than during the life of the said Marques, but that the said Lease from and after the Death of the said Marques, shall be and so hereby is declared to be fully determined both in Law and equity, to all intents and purposes, And it is further declared that no Creditor who shall refuse to come in and compound

as aforesaid, shall be admitted to have any benefit in or by the trust of the reversion and inheritance as aforesaid, and where any Debts secured by the said Lease shall be compounded and agreed at one moyer of the principal with interest as aforesaid, to the end that such composition may not avail or profit such other Creditors who shall refuse to compound as aforesaid, it is further declared and Enacted, That the other moyer of the said principal Debt with the interest thereof, shall be and is hereby vested in and made payable to the said Marques, & that he the said Marques shall have the like benefit for the payment & satisfaction thereof out of the Lease of ninety nine years, as any other Creditor refusing to compound, can or may have, and the Trustees of the said Lease shall pay and satisfy the said Marques's Executors and Administrators the other moyer of the said Debt so compounded, with the interest thereof equally and in like manner and proportion as the not compounding Creditor can or may be satisfied, this Act or any other Law to the contrary notwithstanding: And it is further Declared by the authority aforesaid, That the said Alexander Mac Donnell, John Moore, Archibald Steward, and John Crayleman Sureties for the said Marques, and counter secured by the said Lease for ninety nine years untill the same was transferred as aforesaid, and every of them, their and every of their Heirs, Executors and Administrators, shall be and are hereby discharged of and from all actions, suites, executions and demands which can or may be had against them or any of them, their or any of their Lands, Tenements, Goods or Chattells for or in respect of any of the said Debts intended by the said Lease to be secured as aforesaid.

His Majesty taking notice of the Barbarous and uncouth names by which most of the Towns and places in his Kingdom of Ireland are called, which hath occasioned much damage to divers of his good Subjects, and are very troublesome in the use thereof, and much retards the reformation of that Kingdom: for Remedy thereof is pleased that it be enacted, And be it Enacted by the authority aforesaid, that the Lord Lieutenant and Council shall and may advise of settle and direct in the passing of all Letters patents in that Kingdom for the future, how new and proper names more suitable to the English tongue, may be inserted with an alias for all Towns, Lands and places in that Kingdom, that shall be granted by Letters Patents, which new names shall thenceforth be the only names to be used, any Law, Statute, custome or usage to the contrary notwithstanding.

CAP. III.

An Act for the Confirmation of Marriages.

Whereas by virtue or colour of certain ordinances, or certain pretended Acts or Ordinances divers marriages since the beginning of the late troubles have been had & Solemnized in some other manner than hath been formerly used, & accustomed within this Kingdom, now for the preventing and avoiding of all Doubts and questions which may be made touching the same: May it please your Majesty that it may be Enacted, And be it Enacted by the Kings most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and the Commons in this present Parliament assembled, and by the authority of the same that all marriages had or Solemnized in this Kingdom of Ireland, since the first day of May which was in the year of our Lord God 1642 before any Justice or reputed Justice of the Peace of this your Majesties Kingdom of Ireland, And by such Justice or reputed Justice so pronounced or declared, and

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all marriages within this Kingdome since the same first day of May in the said year of our Lord God 1642. had, or Solemnized according to the directions of true intent of any Act or Ordinance or reputed Act, or Ordinance of one or both houses of the Parliament of England, or of any Convention sitting at Westminster under the name, stile or title of a Parliament or assuming the name, stile or title of a Parliament, shall be and are hereby adjudged, esteemed and declared to be, and to have been of the same force and effect in Law, as if such marriages had been had and Solemnized according to the Rites and Ceremonies established or used in the Church of Ireland, any Law, custome or usage to the contrary thereof notwithstanding; and be it further Enacted that wherein any suit Commenced or to be Commenced in any of the Courts of the Common law within this Kingdome any Issue hath been joyned and not already tryed or determined, or shall be joyned upon the point of Bastardy or lawfulness of marriage for or concerning the marriages had and Solemnized as aforesaid, the same Issues shall be tryed by Jury of twelve men according to the course of tryal used in other issues tryable by Jury at the Common law and not otherwise, any law, statute or Usage to the contrary thereof in any wise notwithstanding.

CAP. IV.

An Act for the vesting in and settling upon Sir William Denville Knight His Majesties Attorney General of Ireland, his Heirs and assigns for ever, a parcel of Land part of the possessions belonging to the Canons of St. Patrick Dublin, upon an Agreement with the Dean and Chapter thereof, paying thereunto a certain yearly Rent.

CAP. V.

An Act for the securing severall Lands, Tenements and Hereditaments unto George Duke of Albemarle.

CAP. VI.

An Act for the Uniformity of publique prayers and Administration of Sacraments, and other Rites, and Ceremonies, and for establishing the forme of Making, Ordaining, and Consecrating Bishops, priests, and Deacons, in the Church of Ireland.

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V Hereas nothing conduceth more to the Honor of God, the settling of the Peace of a Nation, which is desired of all good men; nor to the advancement of Religion than an Universal agreement in the publique Worship of Almighty God, and to the intent that the his Majesties Subjects of this his Kingdom of Ireland, may in this Church of Ireland, hold the same Conformity of Common-prayers, and Administration of the Sacraments and other the Rites and Ceremonies of the Church, according to the use of the Church of England; together with the Psalter, or Psalms of David, pointed as they are to be sung, or said in Churches, & the forme, or manner of making, ordaining, or consecrating of Bishops, priests and Deacons, which was recommended unto both Houses of Convocation here Assembled in Ireland; to consider whether the same forme of publique worship might not be profitably received, as the publique form of Divine service in this your Majesties Kingdom of Ireland.

Whereupon both Houses of Convocation did diligently consider the same, and after mature consideration, well weighing the great advantages that must necessarily arise unto the whole Kingdome from the Uniformity of publique Prayers did fully approve and allow the same, and have exhibited and presented unto your Majesties Lord Lieutenant and Council here in Ireland one Book hereunto annexed: Intituled, The Book of Common prayer and ministrations of Sacraments and other Rites and Ceremonies of the Church, according to the use of the Church of Ireland, together with the psalter or psalms of David, pointed as they are to be Sung or said in Churches, and the form or manner of making, Ordaining and consecrating of Bishops, priests and Deacons.

Therefore

Therefore to the intent that the greatly desirable work of Uniformity in Divine worship may be obtained and that every person within this your Majesties Realm of Ireland may certainly know the Rule to which he is to conform in publique worship and administration of Sacraments and other Rites and Ceremonies of the Church of Ireland, and the manner how and by whom Bishops, Priests and Deacons are and ought to be made, ordained and Consecrated.

May it please your Majestie, that it be Enacted, and be it Enacted, by the Kings most Excellent Majestie by and with the advice and consent of the Lords Spiritual and Temporal and of the Commons in this present Parliament Assembled, and by the authority of the same, that all and singular Ministers, in any Cathedral, Collegiate or Parish Church or Chappel, or other place of publique worship within this Realm of Ireland, shall be bound to say and use the Morning prayer, Evening prayer : Celebration and Administration of both the Sacraments, and all other the publique and Common prayer, in such Order and forme as is mentioned in the said Book annexed and joyned to this present Act, and Intituled, *The Book of Common prayer, and Administration of the Sacraments, and other Rites and Ceremonies of the Church according to the use of the church of Ireland, together with the psalter or psalms of David, pointed as they are to be sung or said in Churches, and the Form or Manner of making, ordaining and consecrating of Bishops, priests and Deacons :* And that the morning and Evening prayers therein contained shall upon every Lords day, and upon all other days and occasions, and at the times therein appointed be openly and solemnly read by all and every Minister or Curate in every Church, Chappel or other place of publique worship within this his Majesties Realm of Ireland.

And to the end that Uniformity in the publique worship of God which is so much desired, may be speedily effected : Be it further Enacted by the Authority aforesaid that every Parson, Vicar or other Minister whatsoever who now hath & enjoyeth any Ecclesiastical benefice or promotion within this Realm of Ireland, shall in the Church, Chappel or place of publique worship belonging to his said benefice or promotion upon some Lords day before the Feast day of the Annunciation of the blessed Virgin Mary, which shall be in the yeare of our Lord God 1667. openly, publicquely, and solemnly read the Morning and Evening prayer appointed by this Act to be read, by and according to the said Book of Common prayer at the times thereby appointed, and after such reading thereof shall openly and publicquely before the Congregation there assembled declare his Unfeigned assent and consent to the use of all things in the said book contained and prescribed in these words and no other.

I A. B. do hereby declare my unfeigned assent and consent, to all and every thing contained and prescribed in and by the Book intituled, *The book of Common prayer, and Administration of the Sacraments, and other Rites and Ceremonies of the Church, According to the use of the Church of Ireland, together with the psalter or psalms of David pointed as they are to be sung or said in Churches, and the form or manner of making, ordaining and consecrating of Bishops, priests and Deacons.*

And that all and every such person, who shall without some lawfull impediment to be allowed and approved of by the Ordinary of the place neglect or refuse to do the same within the time aforesaid, or in case of such impediment, within one moneth after such impediment removed, shall (ipso facto) be deprived of his spiritual promotions and that from thenceforth it shall be lawfull to and for all Patrons and Donors of all and singular the said spiritual promotions, or any of them, according to their respective Right and Titles, to present or collate to

the same, as though the person or persons so offending or neglecting were dead.

Every person to be promoted to any Ecclesiastical benefice shall read the Common Prayer and declare his assent thereto

And be it further Enacted by the authority aforesaid, That every person who shall hereafter be presented or collated, or put into any Ecclesiastical Benefice or promotion within this His Majesties Realm of Ireland, shall in the Church, Chappel, or place of publick worship belonging to his said Benefice or promotion, within two moneths next after that he shall be in the actual possession of the said Ecclesiastical Benefice or promotion upon some Lords day, openly publicly and solemnly read the Morning and Evening prayers appointed to be read by and according to the said Book of Common prayer, at the times thereby appointed, and after such reading thereof, shall openly and publickly before the Congregation there assembled, declare his unfeigned assent and consent to the use of all things therein contained and prescribed: according to the forme before appointed, and that all & every such person (who shall without some lawfull impediment to be allowed and approved by the Ordinary of the place, neglect or refuse to do the same within the time aforesaid) or in case of such impediment, with in one moneth after such impediment removed, shall (ipso facto) be deprived of all his said Ecclesiastical Benefits and promotion, and that from thenceforth it shall and may be lawfull to and for all Patrons and Donors of all and singular the said Ecclesiastical Benefices and promotions, or any of them (According to their respective Right and Titles) to present or collate to the same, as though the person or persons so offending or neglecting were dead.

the Incumbents of living Churches shall read the same once every month.

And be it further Enacted by the authority aforesaid, That in all places where the proper Incumbent of any Parsonage or Vicarage, or benefice with cure, doth reside on his living, and keep a Curate, the Incumbent himself in person, not having some lawfull impediment, to be allowed by the Ordinary of the Place, shall once at the least in every month, openly and publickly read the Common prayers and service in and by the said Book prescribed, and if there be occasion administer each of the Sacraments and other Rites of the church, in the parish Church or Chappel of or belonging to the same Parsonage, Vicarage or benefice, in such order, manner and form, as in and by the said Book is appointed, upon pain to forfeit the sum of five pounds to the use of the poor of the parish for every offence upon conviction by confession, or proof of two credible witnesses upon Oath, before two Justices of the County, City or Town-corporate where the offence shall be committed, which Oath the said Justices are hereby impowered to administer, and in default of payment within ten days, to be levied by distress and sale of the Goods and Chattles of the offender, by the warrant of the said Justices, by the Church-wardens or Overseers of the poor of the said parish, rendering the surplussage to the party offending.

the penalty and manner of conviction for not doing &c.

Deans canons & prebendaries &c. shall subscribe the Declaration

And be it further Enacted by the authority aforesaid, That every Dean and other Dignitary, Canon, Prebendary, and Warden of every Cathedral or Collegiate Church, and all Masters and other Heads, Fellows, Chaplains and Tutors of or in any Colledge, Hall, House of Learning or Hospital, and every publick Professor and Reader in any Universities, Colledge or Colledges which are or shall be within this Realm, and every Parson, Vicar, Curate, Lecturer and every other person in Holy Orders, and every School-master, keeping any publique or private School, and every person instructing or teaching any Youth in any House or private family, as a Tutor or School-master, who upon the Feast of St. John Baptist, which shall be in the year of our

our Lord, 1667. or any time hereafter, shall be Incumbent to have possession of any Deanry, Dignity, Canonry, prebend, Wardenship, Mastership, Headship, Fellowship, professors place, or Readers place, Parsonage, Vicarage, or any other Ecclesiastical Dignity or promotion, or of any Curates place, Lecture or School, or shall instruct or teach any youth as Tutor or School-master, shall before the nine and twentieth day of September, which shall be in the year of our Lord 1667. or at or before his or their respective admissions to be Incumbent, or have possession of any the Dignities, Promotions or places aforesaid, subscribe the Declaration or Acknowledgement following; scilicet.

I A. B. do declare, That it is not lawful upon any pretence whatsoever to take Arms against the King, and that I do abhor that Traiterous Position, of taking Arms by his Authority, against his person, or against those that are Commissionated by him; and that I will conform to the Liturgie of the Church of Ireland, as it is now by law established; and I do declare. That I do hold, that there lies no Obligation upon me, or on any other person, from the Oath commonly called, *The Solemn League and Covenant*, to endeavour any change or alteration of Government, either in Church or State, and that the same was in it self an unlawfull Oath.

Which said Declaration and Acknowledgment, shall be subscribed by every of the said Masters, and other Heads, Fellows, Chaplains and Tutors of or in any Colledge, Hall, or House of Learning, which are or shall be within this Kingdom, and by every publick Professor and Reader in any Univerſitie, Colledge, or Colledges within this Kingdom, before the Vice-Chancellor, or Visitor or Visitors of the said Colledge, Hall, or his or their Deputies; and the said Declaration or Acknowledgment shall be subscribed before the respective Archbishop, Bishop or Ordinarie of the Diocess, by every other person hereby enjoined to subscribe the same, upon pain that all and every the persons aforesaid, failing in or refusing such subscriptions, shall lose and forfeit such his respective Deanrie, Dignitie, Canonrie, Prebend, Wardenship, Mastership, Headship, Fellowship, Professors place, Readers place, Parsonage, Vicarage, Ecclesiastical Dignitie or Promotion, Curates place, Lecture and School, and shall be utterly disabled and (ipſo facto) deprived of the same, and that every such respective Deanrie, Canonrie, Prebend, Mastership, Headship, Fellowship, Professors place, Readers place, Parsonage, Vicarage, Ecclesiastical Dignitie or Promotion, Curates place, Lecture and School shall be void, as if such person so failing or refusing were naturally dead.

And be it further Enacted by the Authoritie aforesaid, That every School-master or other person instructing or teaching Youth in any private house or familie, as a Tutor or School-master, be required to take the Oath of Allegiance and Supremacie, which Oath is to be administered by the Ordinarie.

And if any School-master or other person, instructing or teaching Youth in any private house or familie, as a Tutor or School-master, shall instruct or teach any Youth as a Tutor or School-master, before licence obtained from his respective Archbishop, Bishop or Ordinarie of the Diocess, according to the Laws and Statutes of this Kingdom, for which he shall pay Twelve pence onely, and before such subscription and acknowledgment made as aforesaid, and before such taking of the Oath of Allegiance and Supremacie as aforesaid, then every such School-master and other instructing and teaching as aforesaid, shall for the first offence suffer three months imprisonment, without Bail or Mainprize, and for every second and other such offence, shall suffer three months imprisonment, without Bail or Mainprize, and also forfeit to his Majestie the sum of five pounds, and after such subscription

the declaration.

the penalty for not subscribing

School Masters &c. in private houses are to take the Oath of Allegiance and Supremacie.

made, every such Parson, Vicar, Curate and Lecturer, shall procure a Certificate under the hand and Seale of the respective Archbishop, Bishop or Ordinary of the Diocess, who are hereby enjoyned and required upon demand, to make and deliver the same, and shall publicly and openly read the same, together with the Declaration or acknowledgment aforesaid, upon some Lords day within three months then next following, in his parish Church where he is to Officiate, in the presence of the Congregation there assembled, in the time of Divine service, upon pain that every person failing therein, shall lose such Parsonage, Vicarage or Benefice, Curates place, or Lecturers place respectively, and shall be utterly disabled and (ipso facto) deprived of the same: and that the said Parsonage, Vicarage or Benefice, Curates place, or Lectures place, shall be void as if he were naturally dead.

That to be omitted in the Declaration after the 25th. of March 1682.

Provided always, That from and after the twenty fifth day of March which shall be in the year of our Lord God, 1682. there shall be omitted in the said Declaration or acknowledgment so to be subscribed and read, these words following (scil.)

And I do declare that I do hold, That there lies no Obligation on me, or any other person, from the Oath commonly called, *The Solemn League and Covenant*, to endeavour any change or alteration of Government either in Church or States and that the same was in it self an unlawful Oath.

So as none of the persons aforesaid, shall from thenceforth be at all obliged to subscribe or read that part of the said Declaration or acknowledgment.

persons not ordained Priests or Deacons according to Episcopal ordination shall not hold any Ecclesiastical promotion.

Provided alwayes, and be it enacted, That from and after the 29th. day of September which shall be in the yeare of our Lord, 1667. no person who now is Incumbent and in possession of any Parsonage, Vicarage or Benefice, and who is not already in holy Orders by Episcopal Ordination, or shall not before the said 29th. day of September be ordained Priest or Deacon, according to the forme of Episcopal Ordination, shall have, hold or enjoy the said Parsonage, Vicarage, Benefice with cure, or other Ecclesiastical promotion within this Kingdom of Ireland, but shall be utterly disabled and (ipso facto) deprived of the same, and all his Ecclesiastical promotion shall be void, as if he were naturally dead.

Nor shall consecrate or administer the holy Sacrament if not ordained according to the book of common prayer

the penalty

And be it further Enacted by the authority aforesaid, That no person whatsoever shall thenceforth be capable to be admitted to any Parsonage, Vicarage, Benefice, or other Ecclesiastical promotion or Dignity whatsoever, nor shall presume to consecrate and administer the holy Sacrament of the Lords Supper, before such times as he shall be ordained Priest according to the forme and manner in and by the said book prescribed, unless he have formerly been made Priest by Episcopal Ordination, upon pain to forfeit for every offence, the sum of 100. pounds, one moiety thereof to the Kings Majestie, the other moiety thereof to be equally divided between the poor of the parish where the offence shall be committed, and such person or persons as shall sue for the same by action of Debt. Bill, Plaint or Information in any of his Majesties Courts of Record, wherein no Essoyn, protection or wager of Law shall be allowed, and to be disabled from taking or being admitted into the Order of Priest, by the space of one whole year then next following.

Provided alwayes, That no title to confer or present by Lapse shall accrete by any avoidance or deprivation (ipso facto) by virtue of this Statute, but after six months after notice of such avoidance or deprivation, given by the Ordinary to the Patron or such sentence of deprivation

bation openly and publickly read in the parish Church of the Benefice, Parsonage or Vicarage becoming void, or whereof the Incumbent shall be deprived by virtue of this Act.

And be it further enacted by the authority aforesaid, That no forme ^{As other} 02 Order of Common Prayers, Administration of Sacraments, Rites ^{forme of} 02 Ceremonies shall be openly used in any Church, Chappel, or other ^{Common} publique place of or in any Colledge or Hall in any University, Colledge ^{prayer to be} 02 Colledges within this Realm, or any of them other then what is ^{used in any} prescribed and appointed to be used in and by the said Book, and that ^{Church or} the present Governour or head of every Colledge and Hall in the Uni- ^{place.} versity and of the said Colledge or Colledges within one month after the 29th. day of September, which shall be in the year of our Lord, 1667. and every Governour or Head of any of the said Colledges or Halls hereafter to be elected or appointed, within one month next after his election or collation and admission into the same Government or Headship, shall openly and publickly in the Church, Chappel or other publique place of the same Colledge or hall, & in the presence of the fellows & scholars of the same, or the greater part of them then resident, subscribe to the 39. Articles of religion, agreed upon by the Archbishops & Bishops, and the whole Clergy in the Convocation holden at London in the year of our Lord 1562. for the abolishing of diversities of opinion, and for establishing of consent touching true Religion, and unto the said book; and declare his unfeigned assent and consent unto, and approbation of the said Articles, and of the same Book, and to the use of all the prayers, Rites and Ceremonies, Forms and Orders in the said Book prescribed and contained, according to the form aforesaid: And that all such Governours or Heads of the said Colledges and Halls, or any of them, as are or shall be in holy Orders, shall once at least in every Quarter of the year, not having a lawfull impediment, openly and publickly read the Morning prayer and service in and by the said book appointed to be read in the Church, Chappel, or other publick place of the same Colledge or hall, upon pain to lose and be suspended of and from all the benefits and profits belonging to the same Government or Headship by the space of six months, by the Visitor or Visitors of the same Colledge or Hall: And if any Governour or head of any Colledge or hall suspended for not subscribing unto the said Articles and Book, or for not reading of the Morning prayer and service aforesaid, shall not at or before the end of six months next after such suspension, subscribe to the said Articles and Book, and declare his consent thereunto as aforesaid, or read the Morning prayer and service as aforesaid, then such Government or Headship shall be (ipso facto) void: provided that the penalties in this Act shall not extend to the Forreigners or aliens of the Forreign Reformed Churches allowed or to be allowed by the Kings Majesty, his heirs and Successors in this Kingdom.

Provided alwayes, that it shall and may be lawfull to use the Morning and Evening prayer, and all other prayers and services prescribed in and by the said Book, in the Chappels or other publick places of any Colledges, Halls or Universities within this Realm, and in the Convocations of the Clergy in Latine, Any thing in this Act contained to the contrary notwithstanding.

And be it further enacted by the authority aforesaid, That no person shall be, or be received as a Lecturer, or permitted, suffered or allowed to preach as a Lecturer, or to preach or read any Sermon or Lecture, in any Church, Chappel or other place of publique Worship within this

Realm of Ireland, unless he be first approved, and thereunto licenced by the Archbishop of the Province, or Bishop of the Diocese, or (in case the See be void) by the Guardian of the Spiritualities, under his seal, and shall in the presence of the same Archbishop, or Bishop, or Guardian, read the Nine and thirty Articles of Religion above mentioned, with declaration of his unfeigned assent to the same; and that every person and persons who now is, or hereafter shall be licensed, assigned, appointed or received as a Lecturer to preach upon any day of the week, in any Church, Chappel or place of publique worship within this Realm of Ireland, the first time he preacheth, before his Sermon shall openly, publickly and solemnly read the Common prayers and Service in and by the said Book appointed to be read for that time of the day, and then and there publickly and openly declare his assent unto, and approbation of the said Book; and to the use of all the prayers, rites and ceremonies, forms and orders therein contained and prescribed, according to the form before appointed in this Act; and also shall upon the first Lecture day of every moneth afterwards, so long as he continues Lecturer or Preacher there, at the place appointed for his said Lecture or Sermon, before his said Lecture or Sermon, openly, publickly and solemnly read the Common Prayers and Service in and by the said book appointed to be read for that time of the day at which the said Lecture or Sermon is to be preached, and after such reading thereof, shall openly and publickly before the Congregation there assembled, declare his unfeigned assent and consent unto, and approbation of the said Book, and to the use of all the Prayers, Rites and Ceremonies, Forms and Orders therein contained and prescribed, according to the form aforesaid; and that all and every such person and persons who shall neglect or refuse to do the same, shall from thenceforth be disabled to preach the said, or any other Lecture or Sermon, in the said, or any other Church, Chappel or place of publick worship, until such time as he and they shall openly, publickly and solemnly read the Common prayers & Service appointed by the said book, & conform in all points to the things therein appointed and prescribed according to the purport, true intent and meaning of this Act.

Lecturer in
Cathedral
or Collegiate
Church.

Provided always, That if the said Sermon or Lecture be to be preached or read in any Cathedral or Collegiate Church or Chappel, it shall be sufficient for the said Lecturer, openly at the time aforesaid, to declare his assent and consent to all things contained in the said Book, according to the form aforesaid.

Penalty
upon per-
sons disabled
that preach

And be it further enacted by the Authority aforesaid, That if any person who is by this Act disabled to preach any Lecture or Sermon, shall during the time that he shall continue and remain so disabled, preach any Sermon or Lecture, that then for every such offence the person and persons so offending, shall suffer three moneths imprisonment in the common Goal, without Bail or Mainprize; and that any two Justices of the peace of any county of this Kingdom, and the Mayor or other chief Magistrate of any city or town corporate within the same, upon certificate from the Ordinary of the place made to him or them, of the offence committed, shall, and are hereby required to commit the person or persons so offending to the Goal of the same county, city or town corporate accordingly.

Sermon
paper to be
read before
the lecture
and the le-
cturer to be
assent.

Provided always, and be it further enacted by the authority aforesaid, That at all and every time and times when any Sermon or Lecture is to be preached, the common prayers and Service in and by the said Book appointed, to be read for that time of the day, shall be

openly,

openly, publickly and solemnly read by some Parson or Deacon in the Church, Chappel, or place of publick worship, where the said Sermon or Lecture is to be preached, before such Lecture or Sermon be preached, and that the Lecturer then to preach shall be present at the reading thereof.

Provided nevertheless, that this Act shall not extend to the Chapels in the University, Colledge or Colledges that are or shall be in this Realm, or any of them, when or at such times as any Sermon or Lecture is preached or read in the said chappels, or any of them, for, or as the publique University Sermon or Lecture but that the same Sermons and lectures may be preached and read in such sort and manner as the same have been heretofore preached or read in the said University or Colledge, this Act, or any thing herein contained to the contrary thereof in any wise notwithstanding.

And be it further enacted by the authority aforesaid, That the law and Statute of this Realm, which hath been formerly made, and is now in force for the Uniformity of prayer, and Administration of the Sacraments within this Realm of Ireland, shall stand in full force and strength to all intents and purposes whatsoever, for the establishing and confirming of the said Book, intituled, The Book of Common-prayer, and Administration of the Sacraments, and other Rites and Ceremonies of the Church, according to the use of the Church of Ireland, together with the psalter or Psalms of David, pointed as they are to be sung or said in Churches, and the forme and manner of making ordaining or consecrating of Bishops, Priests and Deacons, herein before mentioned, to be joynd and annexed, to this Act, and shall be applied, practised, and put in ure for the punishing of all the offences contrary to the said law with relation to the Book aforesaid, and no other.

Provided alwayes and be it further Enacted by the authority aforesaid, That in all those Prayers, Litanies & Collects which do any way relate to the King, Queen, Royal Progeny, or the Lord Lieutenant, or other chief Governour or Governours of this Kingdom, the names or titles be altered and changed from time to time, and fitted to the then present occasion, according to the direction of lawful authority.

Provided also, and be it Enacted by the authority aforesaid, that a true printed copy of the said Book intituled, The Booke of Common prayer and Administration of the Sacraments, and other Rites and Ceremonies of the Church, according to the use of the Church of Ireland, together with the Psalter or psalms of David, pointed as they are to be sung or said in Churches, and the forme and manner of making ordaining and consecrating of Bishops, Priests and Deacons, shall at the cost and charge of the Parishioners of every parish Church & Chappelry, Cathedral Church, Colledge, Collegiate Church and Hall, be attained and gotten before the 29th. day of September, which shall be in the yeare of our Lord, 1667. upon pain of forfeiture of three pounds sterling by the moneth for so long time as they shall be then after unprovided thereof, by every Parish or Chappelry, Cathedral Church, Colledge, Collegiate Church and Hall, making default therein, the said forfeiture to be levied by the Church-wardens, and imployed for the reparation of the Church, and relief of the poor.

Provided alwayes, That whereas the six and thirtieth Article of the Nine and thirty Articles agreed upon by the Archbishops and Bishops of both Provinces and the whole Clergy, in the Convocation holden at London, in the year of our Lord, 1562. for the avoiding of diversities of opinions, and for establishing of consent touching true Religion, is in these words following (viz.)

That the Book of Consecration of Archbishops and Bishops, and Ordaining of priests and deacons, lately set forth in the time of King Edward the sixth, and confirmed at the same

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time by authority of Parliament, do contain all things necessary to such Consecration and Ordaining, neither hath it any thing, that of it self is superstitious and ungodly, and therefore Whosoever are Consecrated or Ordered, according to the Rites of that Book, since the second year of the aforementioned King, Edward unto this time, or hereafter shall be Consecrated or Ordered according to the same Rites, we decree all such to be rightly Ordered, and lawfully Consecrated and Ordered.

It be Enacted, and be it further Enacted by the authority aforesaid, That all Subscriptions hereafter to be had or made unto the said Articles by any Deacon, Priest, or Ecclesiastical person, or other person whatsoever, who by this Act, or any other law now in force, is required to subscribe unto the said Articles, shall be construed, and be taken to extend, and shall be applyed for and touching the said six and thirtieth Article, unto the Booke containing the forme and manner of making, ordaining and consecrating of Bishops Priests and Deacons in this Act mentioned; in such sort and manner as the same did heretofore extend unto the Book set forth in the time of King Edward the sixth, mentioned in the said six and thirtieth Article, any thing in the said Article, or in any Statute, Act or Canon heretofore had or made to the contrary thereof in any wise notwithstanding.

CAP. VII.

An Act for provision of Ministers in Cities, corporate Towns, and making the Church of St. Andrews in the Suburbs of the City of Dublin, presentative for ever

In a most humble manner praying and beseeching your most Excellent Majestie, the Lords Spiritual and temporall, and Commons in this present Parliament assembled, that whereas there are small or no Tythes or other duties settled by law upon the Incumbents who have actuall cure of soules in the City and Suburbs of Dublin, and the liberties thereunto adjoyning, and in other Cities, Towns Corporate of this your Majesties Kingdom of Ireland, That it may be therefore Enacted, and be it hereby Enacted by your most Excellent Majestie, by and with the consent of the Lords Spiritual and Temporal, and the Commons in Parliament assembled, and by the authority of the same, That it shall and may be lawful for the Lord Lieutenant, or other chief Governour or Governours, and six or more of your Majesties Privy council of this Kingdom, to allot, ascertain, set forth and charge, or cause to be allotted, ascertained, set forth and charged, any sum or sums of money to be paid unto the severall and respective Incumbents, and their respective Successors within the said City and Suburbs of Dublin, and Liberties thereunto adjoyning, And other Cities and Towns Corporate in this Kingdom, who have actual cure of soules in each Parish respectively, out of each house and houses belonging to the said Parish, whether it be by apportioning the said money and payment according to the yearly value of each house, or otherwise so as the same payment do not exceed Twelve pence sterling for every pound of the yearly value of each house, such yearly value alwayes to be intended as the same shall be valued upon oath by persons to be nominated in that behalf, and authorized by Commission under the Great Seal of this Kingdom, by direction of the Lord Lieutenant, or other chief Governour or Governours for the time being of this your Majesties Kingdom; in which valuation if it shall happen that any house be valued above Sixty pounds sterling per annum, yet the said Commissioners or other persons to be intrusted in the said valuations, are to return such house but at Sixty pounds per annum, which said Commission or Commissions are to be from time to time returned under the hands and Seals of the Commissioners to the Clerk of the Council for the time

time being, And after such allotment so made, and sum or sums of money ascertained, charged and set forth to be paid as aforesaid, and approved by the Lord Lieutenant, or other chief Governour or Governours, and Council of this Kingdom, such charge on each Inhabitant of each house, shall be as good and effectual in Law, as if the very same sum or sums which shall be so charged, had been particularly expressed and Enacted to be paid out of each house, And the sum so allotted or charged upon each Inhabitant, shall be received by the Church-wardens respectively, and by them paid to the several and respective Incumbents and their Successors by four equal portions every year, viz. The Feast of the Nativity of our Blessed Lord and Saviour, the Feast of the Annuntiation of the Blessed Virgin Mary, the Feast of St. John the Baptist, and the feast of St. Michael the Archangel, by the Inhabitant, or respective Inhabitants thereof, and in case any Inhabitant shall upon demand by the Church-wardens of the respective Parishes, refuse or delay to pay such sum or sums of money as shall be so allotted or charged upon the house wherein he dwelleth, at any of the dayes or times aforesaid, that then it shall and may be lawful for the said Church-wardens of each Parish to enter into the said house and distrain on the several and respective persons so in arrear for the same, And the distress or distresses to carry away and sell to pay to the Incumbent such money as shall be due unto him. and to deliver the Remainder unto the said Inhabitant, And if the Church-wardens shall fail to do their duties therein, then and in such case, such Church-wardens to be punished for their neglects, as the Lord Lieutenant, or other chief Governour or Governours and Council of this Kingdom shall think fit. Provided alwayes, That no Commission by virtue of this Act, shall be directed or issue for valuation into any one Parish of any Houses hereafter to be built, more or oftener than once in three years. And whereas the parish Church of St. Andrews in the County of the City of Dublin, hath ben wholly demolished for these many years past, and no effectual care hitherto taken for the rebuilding thereof, whereby the Inhabitants of the said Parish, and of Lazars, alias Lazie-hill, have had no place within themselves for the publick service of God, to the great dishonor of God, and the discomfort of the people, May it therefore please your Most Excellent Majesty, that for the honor of God, and accommodation of the Inhabitants aforesaid, it be Enacted by your Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, that the Ambite and Tract of ground commonly called, The Stane, alias Lazar, alias Lazie-hill, be constituted and made part of the parish of St. Andrews aforesaid, And that the Inhabitants of the said Parish be hereby authorized by Contribution amongst themselves to rebuild the said Church, in such manner as shall be agreed upon by them, or the Major part of them, and that the said Parish Church shall for the time to come be presentative as a Vicarage by the Lord Chancellor of Ireland, the Lord Archbishop of Dublin, the Vice-Treasurer of his Majesties Revenue, the Lord Chief Justice of his Majesties Court of chief place, the Lord chief Justice of his Majesties Court of Common pleas, the Lord chief Baron of his Majesties Court of Exchequer, and the Master of the Rolls, & their Successors for the time being, or by any four or more of them, whereof the Lord Archbishop of Dublin, to be alwayes one, and that Richard Lingart the now professor of Divinity in Trinity Colledge near Dublin, be and is hereby constituted the first Vicar or Incumbent thereof. And be it further Enacted by the authority

aforesaid, That Arthur Earl of Anglesey, his Majesties Vice-treasurer, Sir John Temple Knight, Master of the Rolls, and Sir Maurice Gussace Knight, or the Survivors of them, be and are hereby constituted and appointed Church Wardens of the said Parish for the first two years, and that they and their Successors, Church-wardens for the time being, be hereby impowred to rate and assess the severall houses within the Parish of St. Andrews and Stane, alias Lazie-hill, in such manner as they shall think fit with the consent of the said Inhabitants, or the Major part of them, at such meetings as shall be appointed to that purpose, for and towards the building of the said Church, if the voluntary Contributions already made, and to be made will not do it, And for the relief of the pooe, and other pious uses, as shall be thought necessary by the Inhabitants, of the parish or the Major part of them. And be it Enacted, That the said Church-wardens and their Successors for the time being, shall be a Body Corporate, and have power to sue and be sued by the name of the Church Wardens of the parish of St. Andrews, and by that name to purchase Lands, Tenements and hereditaments of the yearly value of One hundred pounds sterling to the use of the said Parish, the Statute of Mortmain, or any other Law or Statute to the contrary notwithstanding. And whereas the Rectory of the Church of St. Andrews aforesaid, together with certain houses and their back-sides, enclosed within the Church yard, have anciently belonged to the Precentor of the Cathedral Church of St. Patricks neer Dublin, as part of the Corps of his Precentorship, in consideration thereof be it Enacted by the authority aforesaid, That the now Precentor of St. Patricks Dublin aforesaid and his Successors, shall be Rector and Rectors of the said parish, and shall have the yearly sum of Ten pounds sterling appropriated, and be it hereby appropriated unto him and them, to be paid unto him and them by the Vicar or Incumbent of the said Church of St. Andrews for the time being, in two equal portions at two set times of the year (that is to say) five pounds at or upon the Feast day of St. John Baptist, and other five pounds at or upon the Feast day of the Nativity of our Blessed Lord and Saviour, the first payment to begin at or upon the first of the said Feast days as shall happen to be full six moneths next after the Induction of the first Vicar or Incumbent aforesaid. And be it further Enacted, That such punishment as by this Act, shall or may be imposed by the Lord Lieutenant, or other chief Governour or Governours and Council for the time being, upon Church Wardens for neglecting their duties required by this Act, shall not extend to any other kind of punishment, than by one or more Fine or Fines, or Imprisonment, not to exceed the sum of five pounds sterling for such respective offence, and such Imprisonment not to exceed one moneth at any one time for any one offence, and the same to continue without Bail or Mainprize, if they shall so think fit.

CAP. VIII.

An Act for relief of poor prisoners.

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VV Hereas by the reason of the multitude of idle persons and others suspected for felonies and other misdemeanors, the Gaoles of the severall Counties of this Kingdom are filled with pooe people of whom many for want of means to sustaine them, do often perish before they come to their tryal, and many others that live are in great and extream want, hunger and penury, having no means to maintain themselves, for remedy whereof, Be it Enacted

Enacted by the Kings most Excellent Majesty, with the assent of the Lords Spiritual & Temporal, and Commons in this present Parliament assembled, & by the authority of the same, That the Justices of the Peace of every County within this Realm at the General Quarter Sessions of the Peace to be holden within the said Counties, or the more part of the said Justices that are there present, and the Mayor, Portreeve, Sovereign, Sheriffs, Bayliffs, Aldermen, and other head officers of the Cities, Boroughs, places and Towns Corporate, which be Justices, Mayor, Portreeve, &c. to rate and tax for the relief of the counties of themselves, or the more part of them present at their general Quarter-Sessions or Assemblies, shall rate and tax every parish in the said County and Town corporate respectively, at such reasonable sums of money for and towards the relief of the said Prisoners as they shall think convenient by their discretions, and shall likewise at the same Quarter-Sessions or general assemblies nominate and appoint one or more of the freeholders or other honest and sufficient Inhabitants within each parish respectively, to collect and leavy the said sums of money so rated and taxed, and shall deliver unto every of the said Collector or Collectors respectively a note in writing under the hands of two or more of the said Justices, or under the hand of the Mayor or other head officer of the City or Town Corporate containing the sum of money by them so set, assessed, and taxed upon the said Parish wherein he or they shall be so nominated or appointed to be Collector or Collectors, which Collector or Collectors receiving the said note shall have full power and Authority by virtue of this Act to demand, collect, leavy and receive the said sums of money so set, and taxed upon the able Inhabitants of the said Parish wherein he or they shall be Collector or Collectors rateably & proportionably, and if any of the Parishioners or Inhabitants within any of the Parishes so rated, and taxed shall refuse to pay his or their rateable shares of the said taxation, then the said person or persons nominated and appointed as aforesaid for the Collection and leavying of the said monies, shall and may distrain the Goods and Chattels of the said partie or parties which shall refuse to pay the same, and to sell the said distress, or sufficient quantity thereof, restoring the over-plus of the said distress & money come by the said sale to the Owner or Owners of the said distress: Provided always that if any person or persons shall find him or themselves grieved by any such less or Taxe, or by any Act of the said Collector or Collectors, that then the greater number of the Justices of the Peace assembled at their general quarter Sessions shall have power to take such Order therein as they in their discretions shall think fit, and the same to conclude and bind all parties. And be it further Enacted that the said Collector and Collectors shall once every Quarter of the year pay to the High Constable of every Barony, and in Cities and corporate Towns that are Counties to the Aldermen of every ward all such sums of money as their parish shall be rated & taxed at for and towards the relief of the said poor prisoners, and that the said Aldermen and High Constables and every of them shall at every general quarter-Sessions to be holden within the said several Counties or Towns Corporate pay all such sums of money, so to them paid by the said Collectors unto such sufficient person or persons dwelling near to the said Goals as shall be appointed by the said Justices, Mayor or other head Officer or Officers at their Quarter Sessions, or general assemblies to receive the same, and that the said person or persons who shall so receive the said money, shall weekly distribute the same to such poor Prisoners as shall then be in restraint in the said Goals who have no means to maintain themselves,

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themselves, and that every of the said Collectors and receivers, their Executors, and administrators shall in open Court at every general quarter Sessions to be held within the said County or Town corporate respectively, make a just & true Accompt upon Oath of their Collections, Receipts and disbursements before the Justices of the peace, and Mayor or other head officer or officers respectively, and if they or any of them shall refuse the collection or receipt of the said monies, or to pay and distribute the same or to make a true accompt in manner and form as is appointed by this Act, then upon Information thereof made unto any one of the Justices of the peace of the county, or unto the Mayor or chief officer or officers of the City or Town corporate where such party or parties so refusing do dwell, the said Justice, Mayor or other chief officer or officers shall forthwith cause the said partie and parties so refusing to be attached and brought before him and them, and require him or them to perform the said collection, receipt, payment, distribution or accompt of the said monies as the case shall require, and as he ought to do according to the true intent and meaning of this Statute, which if he or they shall refuse to do then the said Justice, Mayor or other chief officer or officers are to commit him or them so refusing to the Gaole there to remain until he or they shall enter into Recognizances to his Majesty in such reasonable sum of money as the said Justice, or Mayor, or other chief officer or officers shall appoint to perform the same. And be it further Enacted by the Authority of this present Parliament, that if any Action of Trespass or other Suit shall happen to be attempted & brought against any person or persons for taking of any distress, making of any sale or any other Act by authority of this present Act the defendant or defendants in any such Action or suit, shall and may either plead not guilty, or otherwise make a vovory cognizance, or justification for the taking of the said distresses, making of sale or other Act by virtue of this Act, alledging in such vovory cognizance, or justification, that the said distress, sale, trespass, or other thing whereof the Plaintiff or Plaintiffs complained was done by authority of this Act, and according to the tenor, purport and effect of this Act, without any expressing or rehearsal of any other matter of circumstance contained in this present Act, to which vovory cognizance, or justification, the plaintiff shall be admitted to reply that the defendant or defendants did take the said distress, made the said sale, or did any other Act or trespass supposed in his Declaration of his, or their owne wrong, without any such cause alledged by the said defendant or defendants, whereupon the issue in every such Action shall be joyned to be tryed by verdict of twelve men, and not otherwise accustomed in other personall actions: And upon the tryal of that issue the whole matter to be given on both parties in evidence, according to the very truth of the same, and after such issue tryed for the defendant or defendants or non suit of the Plaintiff or Plaintiffs after appearance, the said defendant or defendants to recover treble damages by reason of his or their wrongful veration in that behalf with costs also on that part sustained, and that to be assessed by the same Jury or writ to inquire of the damages as the same shall require, and the Justices of Assize and Gaole delivery, are hereby required to give this Act in charge at every general Assizes and Gaole delivery to be held within the severall Countiees of their Circuits, and to take special care to see the same duly executed and performed, and duly to punish all and every such person and persons as they shall find negligent in the execution of this Statute or Delinquent against the same: And be it

it further Enacted by the authority aforesaid, That all and every such fine and fines as shall be legally assessed upon any person or persons Indicted upon this Statute shall be levied by the Sheriff of the County where the party shall be Indicted by special Warrant of the Justices of Assize, and Goale delivery of the said County, and paid to the Clerk of the Crown of the said county, and that the said Clerk of the crown shall distribute the same for the relief of the poor Prisoners aforesaid.

CAP. IX.

An Act for the Advancement of the Trade of Linnen Manufacture.

Whereas the advancement of the Trade of Linnen manufacture in this Kingdom would very much conduce to the publick good thereof; May it therefore please your Excellent Majestie that in order thereunto it may be Enacted, and be it accordingly Enacted by the Kings most Excellent Majestie, by and with the advice and consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled and by the authority thereof, That no person or persons whatsoever having any estate or interest in any lands in this Kingdom, shall at any time after the first day of May in the year of our Lord 1666. set, or let to any person or persons any Cottage, or Cabbin upon any Lands not being within any City or Suburbs thereof, or any walled Town in this Kingdom, unless the person or persons to whom such Cottage or Cabbin shall be so set, or let, shall therewith hold one Acre of Land at least of Plantation measure, containing one and twenty foot to the Bearch, and shall after the first day of February, 1666. yearly sow one eighth part of such acre of Land with Hemp, or Flax, upon pain that every Landlord setting, or letting any such Cottage, or Cabbin without Covenanting with his Tenant to sow one eighth part of such acre of Land yearly with Hemp or Flax shall lose and forfeit the sum of forty shillings sterling for every such default, and also every such Tenant who shall not sow one eighth part of such acre of Land with Hemp or Flax yearly shall lose and forfeit the sum of Ten shillings sterling for every such default: And be it further Enacted by the authority aforesaid, that all and every person and persons who after the first day of February in the year 1666. shall plow, or Till any quantity of land in this Kingdom shall for every thirty acres of the measure aforesaid, which he or they shall so till, or plow, sow, or cause to be Sowed half an acre of Land of like measure with Flax or Hemp, and so proportionable for a greater or lesser quantity of land, upon paine that every person who after the said first day of February shall plow, or Till thirty acres of land, and shall not sow half an acre thereof, of the measure aforesaid, with Hemp or Flax as is above mentioned, shall lose and forfeit the sum of five pounds sterling yearly, and upon pain that every person who shall after the time aforesaid, plow or Till any less quantity of land of the measure aforesaid, and shall not sow Hemp or Flax according to the aforesaid proportion shall lose and forfeit the sum of Three pounds sterling for every such default: and be it further Enacted by the authority aforesaid, That after the four and twentieth day of June, in the year 1666. no Linnen Cloath shall be woven in this Kingdom which shall not be at the least three quarters of a yard broad out of the loom, and that from and after the first day of February in the year 1666. no Linnen Cloath under the aforesaid breadth of three quarters of a yard shall be bought, sold or exposed to sale in any place within this Kingdom, and that every person in this Kingdom who after the respective times aforesaid shall weave, by or sell, or expose to sale any Linnen Cloath under the aforesaid

Every tenant shall sow one eighth part of an acre with Hemp or Flax.

penalty.

No linnen cloath to be woven less than 3. quarters broad out of the Loom.

said breadth, penalty shall lose and forfeit for every such piece of Cloath so woven, bought, sold or exposed to sale the sum of Twenty shillings.

And be it further Enacted by the authority aforesaid, That at every Lent Assize to be yearly held in every County within this Kingdome for the space of twenty years from the time of the passing of this Act the sum of twenty pounds sterling, shall be by the grand Jury of every County applootted upon the several Baronies of every such County, and upon the several parishes in every County of a City in this Kingdome, except onely the County of Dublin, and County of the city of Dublin, and County of Kerry wherein the said applotment is to be made at the next Sessions of the Peace that shall be yearly held after Easter in the said Counties, and a Copy of such applotment so made within four dayes after the end of such Assizes or Sessions, shall be by the respective Clerks of the Peace of each County delivered to the respective Sheriffs of every such county wherein such applotment shall be made under the hand of such Clerk of the peace or his Deputy, under the penalty of the sum of 100. pounds to be forfeited to his Majestie by every Clerk of the Peace neglecting the same, And that every Sheriff of every county, and county of a city in this Kingdome, shall according to such applotment so delivered unto him, or in default of such applotment yearly made according to the last applotment that was thereof made by the grand Jury of the said County wherein he shall be Sheriff equally & indifferently raise and leavy the said sum of twenty pounds out of the several Baronies, Parishes, Lands and Tenements in his county, so as to have the same ready at the next summer Assizes yearly in the several Counties of this Kingdome, except the county and county of the City of Dublin yearly, and so as the respective Sheriffs of the said county and county of the City of Dublin yearly have the same ready at the next Sessions of the peace to be held in the said counties after Trinity term yearly. and for the better encouragement of all persons employed in the manufacture of Linnen cloath to excell each other in the improvement thereof: Be it further Enacted by the authority aforesaid, That at the said Summer Assizes and Sessions aforesaid, it shall and may be lawfull for all and every person and persons in this Kingdome to bring unto the said assizes and Sessions any such pieces of Linnen cloath as have been made in the county wherein such Assizes or Sessions shall be holden of the growth, spinning, weaving and bleaching of the said County, which said pieces of cloath shall contain thirty ells at the least in the length, and one yard at the least in breadth out of the loome, and that the said grand Jury shall consider of the fineness and goodnes of the several pieces of such Linnen cloath which shall be so brought unto them, and shall be made appear before them to have been made in the county, for which the said grand Jury shall serve, and shall adjudge which are the three finest and best pieces of such Linnen cloath, and also which of the said three pieces is the best and finest, and which the next thereunto, and which is the worst of the said three pieces, and shall set down their judgements concerning the same in writing, and present the same unto the Court to be there approbed on: And after such judgment and approbation so had and given, the Sheriff of the said county shall out of the said twenty pounds so by him raised in manner above mentioned forthwith in open Court, sitting the Court, pay or cause to be paid to the person who brought the best and finest of the said pieces of Linnen cloath the sum of Ten pounds sterling, and to him who brought the piece which shall be next thereunto in goodnes and fineness the sum of six pounds sterling,

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sterling, and to him who brought the worst of the said three pieces the sum of four pounds sterling, upon paine that every Sheriff making default in any of the said payments shall lose and forfeit the sum of 100. pounds sterling, and after such judgement and approbation had and given concerning the said pieces of Linnen cloath, the said three pieces which shall be so adjudged and approved of to be the finest pieces, shall in open Court, sitting the Court, be cut in two equal moyeties, so that the same may not be made use of again upon any such occasion in any succeeding year, and immediately redelivered to the person that brought the said cloath into Court, And be it further Enacted by the authority aforesaid, That the sum of six thousand pounds be raised out of and levied in and throughout the severall Cities, Towns and Counties in this Kingdom to be rated, taxed, assessed and levied in and throughout the said severall Cities, Towns & Counties in this Kingdom in such manner, and after such proportions, and to be paid by such persons, wayes and means, and at such times as both houses of Parliament now assembled in this Kingdom shall agree upon, and set down and appoint, and in case the said Parliament shall be dissolved before such appoyntment shall be by them made, that then it shall and may be lawfull for the Lord Lieutenant, Lord Deputy or other chief Governour or Governours of this Kingdom for the time being, and Council to cause the said six thousand pounds to be raised and levied in and throughout this Kingdom in such manner, & after such proportions, and to be paid by such persons, ways and means, and at such times as the said Lord Lieutenant, Lord Deputy or other chief Governour or Governours of this Kingdom and Council shall think fit, the same to be levied by way of distress, and to the end and purpose that with the said monies so raised a bleaching yard may be purchased containing about four Acres of land of one and twenty foot to the perch in some Commodious place in each of the four Provinces of this Kingdom, and a stone or brick wall of convenient height may be erected about the same, and some River in severall streams may be made to have its course through each bleaching yard, and that Tenements may therein be erected to receive and contain such poor people, or Idle vagrant persons and beggars as shall come, or be sent thither to worke by the Justices of the peace of the said severall Provinces who are hereby Authorized to send thither any Idle vagrant persons and beggars, although the said bleaching yard be not erected in the countie wherein they are Justices of the Peace, and that a convenient number of Callandars may there have house-room and imployment, and be it further Enacted by the authority aforesaid, That it shall and may be lawfull for the said Lord Lieutenant, Lord Deputy or other chief Governour or Governours and Council of this Kingdom for the time being to employ a person or persons skillfull in Bleaching and Callandring who shall bleach all linnen cloath that shall be brought at such rates, not exceeding one peny for eachell, as shall be by them appointed and set down, and secure and stand to the hazard of all linnen that shall be there brought to him or them, and shall there give entertainment to a competent number of Weavers, that they may bring up poor children therein weaving, and other employments relating to the said linnen Trade, and compell the sturdy vagrants that shall by the Justices of peace be sent thither to worke, as to them the said Weavers shall seem meet, and for the better effecting and compassing of the aforesaid ends, it shall and may be lawfull for the said Lord Lieutenant, Lord Deputy and other chief Governour and Governours

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and

and Council of this Kingdom for the time being to proceed in all matters aforesaid, in such manner, and by such wayes and means and to employ therein such persons, and grant to them such Commissions and Instructions as to them shall seem most expedient for receiving of the said six thousand pounds, and for the purchasing, building and preparing, and ordering of the said bleaching yards, and such other things as may most conduce to the better carrying on of the said work. And be it further Enacted by the authority aforesaid, That all Weavers in this Kingdom who shall use no other Trade besides the said Trade of Weaving, shall for the space of Seven years from the passing of this Act be freed from serving in any Juries, or bearing any other Offices in this Kingdom which they themselves shall not be willing to undergoe: And be it Enacted that all the fines and penalties aforesaid excepting the fines and penalties charged on Sheriffs shall be divided in manner following, viz. the one moiety to the use of his Majestie, his heirs and Successors, and the other moiety to the use of any that will inform for the same, and as to the said fines or penalties charged on Sheriffs, one third part thereof to be to the use of his Majestie, his heirs and Successors, one other third part to be to the use of the poor of the County where such Sheriff shall be Sheriff, and to be distributed to the poor in such way and manner as the Justices of the peace of the respective counties shall appoint, and the other third part to be to the use of the person or persons that shall inform for the same, in which severall informations, no protection, essoyne or wager of law is to be admitted, and that the Judges of Assizes, Justices of the Peace at their Sessions, and every Officer and Officers within Cities and Corporate Towns having Authority to be Justices of peace, or of Soale delibery within the said Cities and corporate Townes, shall and may lawfully inquire, hear and determine all and singular the premises fineable as aforesaid.

C A P. X.

An Act for disabling of spiritual persons from holding Benefices, or other Ecclesiastical Dignities in England or Wales, and in Ireland at the same time.

WHEREAS divers spiritual persons who have benefices, or other Ecclesiastical Dignities or promotions in his Majesties Kingdom of England, or the Dominion of Wales, do commonly accept of & retain Bishopricks, or other Ecclesiastical Dignities, benefices or promotions in this his Majesties Kingdome of Ireland, the duties of both which in the said severall Kingdoms they are in no wayes able to discharge whereby the Service of God & his worship is in many places of this Kingdom neglected, for remedy whereof, Be it Enacted by the Kings Most Excellent Majestie by and with the advice and consent of the lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the authority of the same, That all and every person and persons having any Bishoprick, Benefice or other Ecclesiastical dignity or promotion in his Majesties Kingdom of England, or Dominion of Wales, shall after the Twenty fourth day of June, in the year 1666. and during the time of his holding and enjoying the same, be wholly incapable of holding or enjoying any Bishoprick, or other Ecclesiastical dignity, benefice or promotion in this Kingdom of Ireland, and that from and after the four and twentieth day of June in the year 1666. all grants and presentations of any Bishopricks, or other Ecclesiastical dignities, Benefices or promotions in this Kingdom to any person or persons at the time of such grant or presentation, having or enjoying any Bishoprick, or other Ecclesiastical Benefice, dignity

No person
having any
Bishoprick,
Benefice
or other
Ecclesiastical
dignity
in England
or Wales
during the
time of his
holding, be
wholly in-
capable of
holding any
Bishoprick

dignity or promotion in his Majesties Kingdom of England shall be and is hereby declared to be null and void to all intents and purposes whatsoever, in such and the like manner as if such Bishop incumbent, or Dignitary had died or resigned, and that from thenceforth it shall and may be lawfull to and for the Kings most Excellent Majestie, and all other Patrons and Doners of all and singular the said Bishopricks, Ecclesiastical promotions, Dignities or Benefices, or of any of them in this Kingdom of Ireland, according to their respective rights and titles to grant, present or Collate to the same, as if the said person or persons were dead or had resigned. And also if any person or persons having or enjoying any Bishoprick, or other Ecclesiastical dignity, Benefice or promotion in this his Majesties Kingdom of Ireland, shall after the four and Twentieth day of June, 1666. accept of, hold or enjoy any Bishoprick, or other Ecclesiastical dignity, Benefice, or promotion in his Majesties Kingdom of England, or Dominion of Wales, that then and immediately from and after such acceptance holding or enjoying thereof, all former grants and presentations of any Bishopricks, Benefices or other Ecclesiastical dignities or promotions in this Kingdom of Ireland, to any such person or persons shall be and are hereby also declared to be null & void to all intents & purposes whatsoever, in such & the like manner as if such Bishop, Incumbent or dignitary had dyed or resigned any Licence or other dispensation to the contrary hereof obtained or to be obtained notwithstanding, & that from thenceforth it shall & may be lawfull to & for the Kings most Excellent Majestie, and all other patrons and Doners of all and singular the said Bishopricks, Ecclesiastical promotions, dignities or benefices, or of any of them in this Kingdom of Ireland, according to their respective rights and titles, to grant, present or Collate to the same, as if the said person or persons were dead or had resigned; provided always that it shall and may be lawfull for the Right Reverend Father in God Griffith, Lord Bishop of Ossory to hold, and retain the Bishoprick of Ossory, together with the Deanry of Bangor in his Majesties Dominions of Wales. untill the augmentation mentioned in the Act Intituled, An Act for the better Execution of his Majesties Gracious Declaration for the Settlement of His Kingdom of Ireland, and satisfaction of the several interests of Adventurers, Soldiers, and other His subjects there, shall be settled upon the said Bishop of Ossory, and his Successors, any thing in this Act, contained to the contrary notwithstanding.

CAP. XI.

An Act to prevent delays in extending statutes, judgements and Recognizances,

Vhereas the security by Statute Merchant and of the Staple is now become of little use and benefit by the fraud of the Comzors thereof in sundry cases, who to prevent the payment of their Debts secretly assign small parts of their Lands to several and unknown persons, and it having been used, that if the Creditor take Execution on such Statute, yet if the Lands of any one or more person or persons to whom such alienation was made and liable to such Execution be omitted out of such extent, the same Execution hath been avoided by Audita querela, and the party extending lost his costs, and was delayed of his just Debt, and so again upon any new extent toties quoties, and if any one acre or parcel of Land happened to descend to an Infant, the whole Execution was deferred, until full age of such Infant, and if afterwards other part of the Lands or Tenements lyable to such Debt descended to an other Infant, then also a further delay happened during that Infancie also, Be it therefore Enacted by the

or Ecclesiastical dignity &c. in this Kingdom.

part of the Bishop of Ossory.

Eng. c. 16.
17. Car. the
2. cap 5th.
Comzors
security by
a Merchant
and of the
staple.

Executions
avoided by
Audita
Querela.

for what
cause ex-
tents upon
Judg-
ments or
statutes
shall not be
aboyded or
delayed

Proviso for
Heirs wit-
in age.

to what sta-
tutes and
extent wher-
this Act
shall ex-
tend. The
continuance
of this Act.

Kings most Excellent Majestie, by and with the advice and consent of the Lords Spiritual and Temporal and the Commons in this present Parliament assembled, and by the Authority of the same, That when any judgment, Statute or Recognizance shall be extended, the same shall not be aboyded or delayed, by occasion that any part of the Lands or Tenements extendible are or shall be omitted out of such extent, saving alwaies to the partie and parties whose Lands shall be extended, his and their Heirs, Executors and assigns, his and their remedy for contribution against such person or persons whose Lands are or shall be omitted out of such extent from time to time, Provided alwaies that this act nor any thing therein contained shall not be construed to give any extent or contribution against any Heir within the age of one and twenty years during such Minority of such Heir for, or in respect of any Lands to such Heir descended farther or otherwise then might have been before the making of this Act, Provided, that this Act extend only to such Statutes as are or shall be for payment of monies; and to such extent as shall be within Twentie years after the Statute, Recognizance or judgment had and obtained, Provided that this Act shall continue for the space of three years and from thence to the end of the next Session of Parliament and no longer.

C. A. P. XII

An Act to prevent Arrests of Judgment and Superfeding Executions.

In what
Court and
cases judg-
ment after
verdict shall
not be stay-
ed for de-
fault of
form in
pleading.

V Hereas great delay, trouble and vexation hath been, and still is occasioned to the people of this Realm, as well by arresting and reverting of Judgments, as by staying Executions by writs of Error and Superfedeas, for remedy thereof, Be it Enacted by the Kings most Excellent Majesty, by, and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That if any Verdict of twelve men shall be given in any Action, suit, Bill or Demand, to be commenced from, and after the 25th. day of March, which shall be in the year of our Lord God, 1666. in any of His Majesties Courts of Record at Dublin, or in the Courts of Records within the County Palatine of Tipperary, Judgment thereupon shall not be stayed or reversed for default in form, or lack of form, or by reason that there are not Pledges, or but one Pledge to prosecute, returned upon the original Writ, or because the name of the Sheriffs is not returned upon such original Writ, or for default of entering Pledges upon any Bill or declaration, or for default of alledging the bringing into Court of any Bond, Bill, Indenture, or other Deed whatsoever mentioned in the declaration or other pleading, or for default of allegation of the bringing into Court of any Letters Testamentary, or Letters of Administration, or by reason of the omission of Vi & Armis, or Contra Pacem, or for or by reason of the mistaking of the Christian name or surname of the Plaintiff or Defendant, demandant or Tenant, sum or sums of money, day month or year, by the Clerk in any Bill, Declaration or Pleading where the right name, surname, sum, day, month or yeare, in any Writ, Plaint, Roll or Record preceeding, or in the same Roll or Record where the mistake is committed, is, or are once truly and rightly alledged, whereunto the plaintiff might have demured, and shewen the same for cause, nor for want of the averment of hoc paratus est verificare, or hoc paratus est verificare per record. or for not alledging prout pater per record, or for that there is no right Venu, so as the cause were tryed by a Jury of the proper County or place where the Action is laid, nor any Judgement after the Verdict, confession by cognovit & Cionem

Actionem, or relicta verificatione shall be reversed for want of *Miserecordia* or
 Capiatur or by reason that a Capiatur is entered for a *Miserecordia*, or a *Miserecordia*
 is entered where a Capiatur ought to have been entered, nor for that *ideo con-*
cessum est per cur. is entered for *ideo concessum est per cur.* nor for that the en-
 crease of Costs after a verdict in any Action, or upon a non-suit *non*,
 are not entered to be at the request of the party for whom the Judgment
 is given, nor by reason that the Costs in any Judgment whatsoever are
 not entered to be by consent of the Plaintiff, but that all such omis-
 sions, variances, defects, and all other matters of like nature, not being
 against the right of the matter of the suit, nor whereby the issue or tryal
 are altered shall be amended by the Justices, or other Judges of the
 Courts, where such Judgments are or shall be given, or whereunto the
 Record is or shall be removed by writ of Error. Provided always, & be it
 further Enacted by the authoritie aforesaid, That this Act, nor any thing
 therein contained, shall not extend to any Writ, Declaration or Suit
 of Appeal of Felony or Murder, nor to any Inditement or Presentment
 of Felony, Murder, Treason or other matter, nor to any process upon
 any of them, nor to any Writ, Bill, Action or Information upon any
 penal Statute, other than concerning Customs and Subsidies of Con-
 nage and Poundage, any thing in this Act contained to the contrary
 thereof in any wise notwithstanding. And be it further enacted by the
 authority aforesaid, That from & after the first day of May, in the year
 of our Lord 1666. no Execution shall be stayed in any of the aforesaid
 Courts by Writ of Error or Superseas thereupon after Verdict,
 and Judgment thereupon in any Action personal whatsoever, unless
 a Recognizance with Condition, according to the Statute made in the
 10. year of the Reign of our late Sovereign Lord King CHARLES,
 shall be first acknowledged in the Court where such Judgment
 shall be given: and further, that in Writs of Error to be brought upon
 any Judgment, after verdict in any Writ of Dower, or in any Action
 of Ejectione firme, no Execution shall be thereupon, or thereby stayed, unless
 the Plaintiff or Plaintiffs in such Writ of Error shall be bound unto the
 Plaintiff in such Writ of Dower, or Action of Ejectione firme in such rea-
 sonable sum as the Court, to which such Writ of Error shall be directed,
 shall think fit, with condition that if the Judgment shall be affirmed in
 the said Writ of Error, or that the said writ of error, be discontinued in
 default of the Plaintiff, or the Plaintiffs therein, or that the said Plaintiff or
 Plaintiffs be non-suit in such Writs of Error, that then the said Plaintiff
 or Plaintiffs shall pay such costs, Damages, sume & sums of money as shall
 be awarded upon or after such Judgment affirmed discontinuance or
 non-suit had: & to the end that the same sum & sums, & Damages may be
 ascertained, It is further Enacted, that the Court wherein such Execu-
 tion ought to be granted upon such affirmation, discontinuance or non-
 suit, shall issue a Writ to enquire as well of the meane profits, as of
 the damages, by any waste committed after the first Judgment in Do-
 wer, or in Ejectione firme, and upon the return thereof Judgment shall be
 given, and Execution awarded for such Meane profits, and Damages,
 and also for Costs of suit: Provided that this Act, nor any thing there,
 in contained, shall not extend to any Writ of Error to be brought by a-
 ny Executor or Administrator, nor unto any Action popular, nor un-
 to any other Action which is, or hereafter shall be brought upon any
 penal Law or Statute, nor to any Inditement, Presentment, Inqui-
 sition, Information or Appeal, any thing herein before expressed to the
 contrary thereof in any wise notwithstanding: Provided alwayes that
 this Act shall continue in force for three years, and to the end of the
 next Session of Parliament, after the expiration of the said three years
 and no longer.

Proviso for
 Appeals, in-
 dicaments,
 Actions up-
 on penal
 Laws
 other than
 Customs
 & Subsidies.

in what ca-
 ses execu-
 tion shall not
 be stayed by
 writ of Er-
 or,
 but upon re-
 cognizance
 entered ac-
 cording to
 10. Car. 1.

Proviso
 touching
 Judgement
 in Dower &
 Eject.

To what
 actions
 this Act
 shall not ex-
 tend.

the continu-
 ance of this
 Act.

CAP. XIII.

An Act concerning Tythings, Oblations and Mortuaries.

V V Hereas divers and unreasonable forms of Tythings, and Oblations are in practice in many parts of this Kingdom, as Mortuaries, Berts, Bornikeltre, alias Barnikeltre, Friable, Tenbanist or soul legacies, Marygallons and portions of Meal, Flesh, Candles, Hides, Tallow, Apparell at burials and Marriages, Hogs of a year old and the like whereby the Subject is much oppressed, and others as prejudicial to the Church by means whereof and the want of settled tything tables many suits and controversies do arise to the grievance of His Majesties loving Subjects, and whereas all parties do desire moderation and uniformity in Tything: Be it Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, & by the authority thereof, That it shall be lawfull for the Lord Lieutenant, Lord Deputy, Lord Justice, or Lords Justices, or other chief Governour or Governours of this Kingdom for the time being and any seven or more of the Council, with the assent and approbation of both houses of Parliament in this Kingdom, to abolish and take away the aforementioned forms of Tythings, and settle such a table of Tythes, Oblations, Mortuaries and other Church duties as shall be with the assent and approbation of both houses of Parliament as aforesaid judged convenient and reasonable for all parties as well Clergy as Parishioners, this power to continue in the said Lord Lieutenant, Deputy, Lords Justices or other chief Governour or Governours of this Kingdom for the time being, and the Council, or any seven or more of them with the consent, and approbation of both houses of Parliament as aforesaid, untill the end of the next Parliament that shall be called in this Kingdom after this present Parliament shall be dissolved, and no longer.

C A P. XIV.

An Act Enabling the Precentor and Treasurer of the Cathedral Church of St. Patrick Dublin, and the Arch-Deacon of Dublin to make Leases of part of their Yards and Gardens for sixty years.

W Hereas several pieces of Ground now in a manner lying waste, commonly known and reputed the Yards and Gardens belonging unto the Houses of the Precentor, otherwise called the Chaunter and the Treasurer of the Cathedral Church of St. Patricks Dublin, and abutting on the street commonly called St. Brides-Street within the Suburbs of the said City of Dublin, which said street although already Built & Paved on the East-side is become very noysome and offensive to His Majesties Subjects that are frequently Passengers through the same, by reason the other side thereof adjoining to the Yards and Gardens of the said Precentor and Treasurer is not Built or Paved, or have convenient passage for water and common shoare which is now a very great and apparent annoyance, And whereas there is a like parcel of ground known and reputed the Yard and Garden belonging to the Arch-Deacon of Dublin lying and being on the Poddle a place unprofitable to the Church and offensive to the neighbouring Inhabitants and unto passengers that way, for the future prevention whereof, and for the Improving the Revenues of the said Precentorship, Treasurership, and Arch-Deaconship, and also for beautifying that part of the Suburbs of the City of Dublin, and amending the Streets and Highways, and encouraging of such as may take Leases of any part of the said Yards and Gardens, Be

it Enacted by the Kings most Excellent Majestie, by, and with the advice and consent of the Lords Spiritual and Temporal and the Commons in this present Parliament Assembled, and by the Authority of the same, That it shall and may be lawfull to and for the present Presentor (otherwise called the Chaunter) the present Treasurer of the said Cathedral Church of St. Patrick, and the present Arch-Deacon of Dublin, or their respective Successors at any time hereafter within the space of five years next ensuing the making of this Act, to let, demise, or make Leases of any part or parcel of the said Yards and Gardens belonging unto each of them, not exceeding threescore yards back from the Streets, if the Lord Lieutenant or other chief Governor or Governours and Council of this Kingdom for the time being shall think fit to any person or persons, and not exceeding the term of threescore years from the date of such Lease or Leases, at such yearly Rent as shall be allowed by the Lord Lieutenant or other chief Governor or Governours and Council in this Kingdom for the time being, any thing in any former Statute now in force in this Kingdom to the contrary in any wise notwithstanding.

C A P. XV.

An Act for the true making of all sorts of Cloth, called the Old Drapery and New Drapery, and the true searching and sealing thereof, by His Majesties Almager within this Kingdom.

V V Hereas there is a General complaint in England, France and other parts beyond the Seas (whether the Woollen cloath and other commodities made of Wooll in this His Majesties Kingdom of Ireland are transported) of the false, deceitfull, uneven and uncertain making thereof, which cometh to pass by reason the Clothiers and makers thereof do not observe any certain assize for length, breadth and weight in making their clothes and other commodities aforesaid in this Kingdom, as they do in the Realm of England, and as they ought also to do here: By which means the Merchants, Buyers and users of the said cloth and other commodities, are much abused and deceived, and the credit, esteem and sale of the said cloth and commodities, is thereby much impaired and undervalued, to the great and general hurt and hinderance of the Trade of clothing of this whole Realm, for remedy whereof,

May it please your Majesty, That it be Enacted, and be it Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the Authority of the same, That all saleable and vendible cloth, clothes, half clothes, and pieces of clothes, Kerseys, Freezes, Cottons, Rugs, and all other clothes called the Old Drapery, to be made from and after the five and twentieth day of June, in the year of our Lord God, 1666. within this Realm of Ireland, & sent, set, offered or put to sale, shipped or imbarqued, & also all saleable and vendible Bayes, Sayes, Serges, Fustians, Stuffs and other commodities whatsoever made of Wooll, part of wooll, Cotton, or otherwise called or known by the name of the New Drapery, to be made after the said five and twentieth day of June, in the year of our Lord God 1666. within this said Realm of Ireland, and sent, set, offered or put to sale, shipped or imbarqued, shall be made of the length, breadth and weight, herein after mentioned, limited, declared, appointed and set down; and not otherwise; nor of any other length, breadth or weight (that is to say) all broad clothes mixed and dyed in wooll, to be made within this Kingdom, to be in length betwixt

20 q q q q q q 2

twenty

The length
and breadth
of Cloth
Kerfies &c.

twenty three and twenty five yards, out of the Mill, and no more, and in breadth, or size, six quarters and one half of a quarter out of the Mill, at the least within the Liss; and in weight, being well thicked, scoured, fulled, dressed and dyed, threescore and twelve pounds at the least and to be all made with narrow Liss: And also, all broad clothes, woven white, to be of the same breadth and length, or size, and in weight threescore pounds at the least. And Kerfies of all sorts, not to exceed eighteen yards in length, and to be full three quarters and one half quarter of the yard out of the Mill, in breadth, and in weight, being dyed in the wooll, twenty four pounds. And white Kerfies, every yard to weigh a pound: And also all Cottons, and Bandle cloth, to be in length twenty four yards of the piece, and in breadth, being fully thicked, scoured and dressed, one full yard: Also all manner of Bayes, not to exceed forty four yards in length, nor to be less out of the Mill than a full yard in breadth: Also all broad Baize, called hundreds or blue liss, not to exceed threescore yards in length, and to be in breadth, or size, seven quarters at the least: Also all Bayes and Serges, to be in length twenty four yards, and not less than a full yard in breadth: also all Carpettings, Hangings and Dornocks, not to exceed twenty four yards in length: and Carpettings and Hangings to be in breadth, either six quarters, or three yards, and Dornocks five quarters broad. And also other Stuffs or Commodities hereafter to be made of Wooll, part of Wooll, Cotton Wooll, or otherwise commonly called or known by the several names of the old and new Drapery within this Realm of Ireland, or any of them, not to exceed twenty four yards in length, and not to be less than a full yard in breadth, within the Liss: And likewise all manner of Caddowes & Ruggs, to be a yard in breadth within the Liss or Selverge out of the Loom. And for the more orderly managing the trade and mystery of making and working of Woollen cloth, and all other sorts of clothes of the several natures and kinds aforesaid, And for the better ascertaining of the length, breadth and weight of all such clothes to be made within the Realm of Ireland, from and after the said five and twentieth day of June, in the year of our Lord God, 1666. And that the buyers thereof may have just commerce and trade, without deceit or fraud: may it please your Majesty, That it may be enacted, And be it Enacted by the Authority aforesaid That there shall be, and hereby there is constituted and appointed an Office, called the Mynage-Office, and the chief Officer therein is, and shall be called his Majesties Mynager. and shall be constituted, from time to time, by Letters Patents under his Majesties Great Seal, for years, or for life, as his Majesty thinks fit. And such Officer shall and may from time to time execute the said Office by himself, or his lawfull or sufficient Deputy or Deputies or Substitute or Substitutes: And shall be and hereby is authorized and required, by himself or his sufficient Deputy or Deputies, Substitute or Substitutes, to measure, view, try, weigh, and search all such broad cloaths, Kerfies, Freezes, Stuffs, Baize, Cottons, Seys, Searges, Fullians, Ruggs, and all other clothes and commodities whatsoever, to be made after the said five and twentieth day of June, in the year of our Lord God, 1666. of Wooll, part of Wooll, Cotton Wooll, or otherwise commonly called the old and new Drapery, before they be sent, offered or put to sale, shipped or imbarqued within this Kingdom of Ireland, whether the same be of the length, breadth and weight, before limited and appointed, and be made, wrought and dressed, without straining or stretching by any Instrument, Engine or device whatsoever. And that the said

All Cloth
herein
shall be
measured
by the
Mynage
Mynager.

Mynager,

Alnager, his Deputy or Deputies, Substitute and Substitutes, and
 every of them, shall and may, upon measuring, viewling, trying, sear-
 ching, and weighing of the said clothes, Kerlies, Ruggs, Stuffs and
 other commodities so to be made and to be put to sale, sent, set,
 offered, shipped or imbarqued, in case the same be found to be good,
 lawfull and merchantable ware, seal or mark the same, by, and
 with a seal or mark, to him or them, to be allowed of by the Lord
 Treasurer of this his Majesties Realm of Ireland, or Chancellor ^{Howe sau-}
 loz of his Majesties Court of Exchequer here: And in case the same, ^{12 Cloth}
 or any of them be found not to be Merchantable, good and lawfull ^{shall be u-}
 Ware, but defective and deceitfully wrought and made, then to cut, or ^{sed}
 jagg the same at both ends thereof, thereby to note the same defect,
 without any seal or other mark to be put to the same, to the intent that
 no person or persons be deceived thereby. And that the Alnager, and his
 Deputy and Deputies, Substitute and Substitutes, shall and may
 have, take and receive to his Majesties use, for the Subsidy and Al-
 nage of all and every the said Clothes, Kerlies, Freezes, Ruggs, Cottons,
 Bays, Says, Serges, and other Stuffs and commodities aforesaid, as
 well sealed as jagged; and for all knit-Stockings, Fringes, Cruels,
 Lace, Boulting, Swadling bands or Bridling, hereafter to be made as
 aforesaid, of Wooll, Cotton-wooll or otherwise, and to be put to sale
 within the said Kingdom of Ireland, such sum and sums of money
 as are hereafter mentioned and set down: That is to say, for every
 broad cloth four pence sterling, for the Subsidie thereof; And for the ^{The Subsi-}
 Alnagers fee for the sealing of the same, one half-penny sterling, and for ^{op & Alna-}
 every half cloth two pence sterling for the Subsidie thereof; and for the ^{gers fee for}
 Alnagers fee, for the sealing thereof one farthing sterling: And so rate- ^{every cloth,}
 ably for every kind of cloth, clothes, Cottons, Kerlies, Ruggs, Bays, ^{batte cloth,}
 and other Draperies and Commodities aforesaid, called the old Dra- ^{Cottons,}
 pery according to the several lengths of the same: And for every piece ^{Kerlies, &c.}
 of Say, Serge, Stuff, Knit-Stockings, and of all and every other of
 the Commodities aforesaid, called the new Drapery, for every four
 pound weight thereof for the Subsidie of the same, one farthing sterl.
 and so rateably for every lesser proportion of the same, according to the
 several weights thereof; And for the Alnagers fee for the sealing and
 jagging of every such piece, or parcel of Say, Searge, Knit-Stockings,
 and every other of the commodities aforesaid, for every four pounds
 weight thereof one farthing sterling, and so rateably. And that for the
 measuring, searching, viewling, trying and weighing of every broad-
 cloth, Kerlie, Ruggs, Bays, Cotton and other Drapery, containing
 in length 23 yards, or between 23 yards and 25 yards, shall be paid to
 the Alnager for the searching thereof for his fee the sum of two pence
 sterling, and so rateably for every piece of like cloath and cloaths,
 Kerlies, Ruggs, and of all other the like Draperies and Commodities
 aforesaid, according to the number of the yards and quantity and quan-
 tities that it or they shall contain; and whatsoever Clothier, maker
 or worker of any the Commodities aforesaid, or any other person or
 persons, that shall at any other time or times, after the said five and
 twentieth day of June, in the year of our Lord God 1666. send, set,
 offer or put to sale, ship or imbarque any such saleable or vendible cloth,
 or clothes, half clothes, pieces of clothes, Kerlies, Freezes, Cottons, Ruggs,
 Bays, Sapes, Serges, Fustians, Stuffs or any other clothes, Knit-
 Stockings, Cruels, Fringes, Lace, or Commodities whatsoever made of
 Wooll, part of Wooll, Cotton Wooll or otherwise, called or known
 by the several names of the old or new Drapery, to be wrought or made

R r r r r r r

within

Cloaths &c.
put to sale
before they
be sealed
shall be for-
feited

For neglect
of the Alna-
ger or his
Deputy the
first Offence
ten pound

the second
20 pound

the third
30 pound

All clothiers
& makers
of cloth be-
fore sale
shall weave
their mark
in the head-
end

Within this Kingdom of Ireland, before they shall be first measured, viewed, tryed, searched and weighed by the said Alnager, his Deputy or Deputies, Substitute or Substitutes, and shall be by him, them, or some of them, approved or allowed, and sealed and marked in such manner as by this Act is appointed, to be good and merchantable, and that he or they have paid the Subsidie, and Alnagers and Searchers Fee for the same: That then every such Clothier, worker and maker of any such clothes, Kersies, Rugges, Stuffs, or of any other the commodities aforesaid, or any such other person or persons sending, setting, offering or putting to sale, shipping or imbarqueing, shall forfeit all and every such goods so offered & put to sale, shipped or imbarqued to his Majesty, his heirs & successors, to be recovered, as in this Act, is directed & appointed. And be it further enacted by the authority aforesaid, that if the said Alnager of this Kingdom, his Deputy or Deputies, Substitute or Substitutes, shall not duly execute the said Office of Alnager, in the due measuring, weighing, viewing, searching, trying, scaling & marking of any the aforesaid saleable and vendible cloth, clothes, half clothes, Kersies, Freezes, Cottons, Ruggs, Bayes, Sayes, Serges, Fustians, Stuffs, or any other of the clothes or commodities aforesaid, whatsoever made of Wooll, part of Wooll, cotton-wooll or otherwise, called and known by the severall names of the old and new Drapery; or if the said Alnager, his Deputy or Deputies, Substitute and Substitutes, shall be negligent or remiss, or otherwise shall offend in the due execution of the said Office, that then the said Alnager, his Deputy & Deputies, Substitutes & Substitutes so offending, shall forfeit to his Majesty, his heirs and successors, for the first Offence, being duly convicted thereof, the sum of ten pounds sterling; and after such fine paid, being convict of a second Offence, twenty pounds sterling; and after such second fine and punishment imposed, being convict of a third Offence, thirty pound sterling; and so for each Offence of that kind, which he or they being found guilty, shall be fined for severally and respectively, in manner as aforesaid: And the conviction of the said Alnager, and recovery of the said forfeiture, shall be by inditement, presentment or information, to be brought for the same in any of his Majesties Courts of Law in Dublin, or before his Majesties Justices of Assize, or before the Justices of the Peace at their Quarter Sessions, severally and respectively, where such Offence shall or may happen to be committed, from time to time, wherein no Wager of Law, protection or Essoine shall be admitted. And be it further Enacted by the authority aforesaid, that all and every Clothier, and maker of cloth & stufes, within this Realm of Ireland, & every other person & persons which shall make any Cloath, Clothes, half Clothes or pieces of clothes, Kersies, Freezes, Cottons, Ruggs, Bayes, Sayes, Serges, Fustians, Stuffs, or any other Cloath or Clothes, or any other Commodity or Commodities whatsoever made of wooll, part of wooll, Cotton-wooll or otherwise, commonly called or known by the names of the old or new Drapery, within this Kingdom of Ireland, for sale, that before he, she or they or any of them, shall sell, send, offer or put to sale, ship or imbarque the same, or any part thereof in any City, Cities, Burrough, Town, Village, or place whatsoever within this said Kingdom of Ireland, he, she and they shall as well weave his and their mark and marks into the head end of all and every such cloth and clothes, half clothes, pieces of clothes, Kersies, Freezes, Cottons, Ruggs, Bayes, Sayes, Serges, Fustians and Stufes, and every other of the cloth and clothes, commodity and commodities whatsoever as aforesaid, of Wooll,

wooll, part of wooll, Cotton-wooll or otherwise commonly called ^{wooll, part of} or known by the said several names of the old and new Drapery, ^{time of the} upon pain of forfeiture of all and every such clothes and other commodities ^{said commodities} as shall not be so marked as aforesaid. Provided always and it is the true intent and meaning of this present Act, that neither the ^{The Alnager} Alnager of this Kingdom of Ireland, nor his Deputy or Deputies, ^{ger nor to} Substitute or Substitutes, nor any of them shall either search, view, ^{view what} try, weigh or seal any of the aforesaid clothes, stuffs or commodities ^{cloth &c.} aforesaid, made by any person or persons for his, her or their own use or ^{made for} uses, or for the use of his, her or their family or families, not sent ^{the use of a} set, offered or put to sale, shipped or imbarqued within this Kingdom, ^{ny persons} neither shall take, receive or require any thing for the same, upon pain ^{of their fa-} of forfeiture of five pounds to his Majestie, being convicted of the ^{penalty} said offences in such manner as by this Act is declared. And be it fur- ^{of 5 pound} ther Enacted by the authority aforesaid, That for the better Execution ^{To have} of the said Offices, there shall be at all times meet and con- ^{meet and} venient places appointed by the said Alnager, or by his Deputie or ^{convenient} Deputies, Substitute or Substitutes, in every City, Burrough, Town ^{places for} Corporate, Market Town, and other convenient place within this ^{the office.} Kingdom of Ireland, for the measuring, searching, viewing, weighing, marking and sealing of all such cloth, clothes, half clothes, pieces of clothes, Kerlies, Freezes, Cottons, Ruggs, Bayes, Sayes, Serges, fustians, Stuffs, and every other of the Commodities aforesaid what- soever, made of wooll, part of wooll, cotton wooll or otherwise, commonly called and known by the several names of the old and new Drapery, whereby every person and persons that shall have any of the said cloth, clothes, half clothes, pieces of clothes, or any other of the commodities aforesaid to be searched, viewed, measured, tryed, and sealed, may certainly know where to have the same perfected and done, and may not be drawn to travel above the space of six miles from their several aboades for the perfection thereof: And also, that the said ^{Power for} Alnager shall and may from time to time, and at all times have full ^{the Alnager} power and authority to constitute, substitute, make, depute, appoint ^{to constitute} and place in every of the Counties, Cities, Burroughs, Towns Cor- ^{deputies} porate, Villages, Hamlets, and places within this said Kingdom of Ireland, such and so many Deputy and Deputies, Substitute and Substitutes, as well for the measuring, searching, viewing, weighing, marking and sealing of all such cloth, clothes, half clothes, pieces of clothes, Kerlies, Freezes, Cottons, Ruggs, Bayes, Sayes, Serges, fustians, Stuffs, and every other of the clothes and commodities aforesaid whatsoever made of wooll, part of wooll, cotton woolls, or otherwise, commonly called and known by the names of the old and new Drapery, as are herein or hereby impowred and authorized to be measured, searched, viewed, weighed, marked or sealed. And also for the collecting and gathering of the said Subsidie and Alnage to his Majesties use, as to the said Alnager shall be thought meet and convenient, and likewise to do and perform all and whatsoever is or shall be needfull, necessary or lawfull to be done therein by the said Alnager: And further, that it shall and may be lawfull to and for the said Alnager, his Deputy and Deputies, Substitute and Substitutes, and every ^{Lawful} of them from time to time, and at all times, to search in all Ships, ^{the Alnager} Barques, Hoyes, Crayes & Boats, fairs & Markets of Ireland, as of- ^{to search all} ten as occasion shall require, and in the day time with the Constable, or ^{Ships} other Officer of the Parish, to enter into and search all and singular ^{Barques} the Houses, Ware-houses, Shops or Cellars of any person or persons

Forfeiture
if the cloth
be pressed
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whatsoever within this Kingdom of Ireland, as well within Liberties as without, where any such Cloth, Clothes or any other of the said Commodities are or shall be supposed to be, and the same to make stay of until the Owner and Owners thereof have answered his and their contempt therein: And that if any person or persons shall resist or deny any search or searches by the said Alnager, or his Deputy or Deputies, Substitute or Substitutes for the time being, or any of them at any time or times hereafter to be made as aforesaid, that then he, she, or they making such resistance or denial, shall for every such fault or offence, resistance or denial, being convict thereof in manner as aforesaid, incur such pain and penalty as the Justices before whom the person or persons so convict shall think fit to impose, not exceeding ten pounds. And whereas divers subtil and naughty means are practised in the pressing of Clothes, by pressing of the same in a hot press, and by heating of thick Boards or Planks, and laying the same under and above the said Clothes in a cold Press, and by divers other cunning sleights and inventions: Be it therefore Enacted by the authority aforesaid, That all and every person and persons pressing of any kind or sort of woollen Clothes, by or with any hot Press, or with any other the like subtil and deceitfull means as aforesaid, shall forfeit all and every such Cloth and Clothes as shall be so pressed, any matter or thing in this present Act contained to the contrary thereof notwithstanding. And be it further Enacted by the Authority aforesaid, That no Searcher or Waiter, of or at any Port within this Realm of Ireland, do or shall at any time after the said 25. of June in the year of our Lord God, 1666. knowingly permit or suffer any of the aforesaid Cloth, Clothes, half-Clothes, piece or pieces of Clothes, Kerlies, Freezes, Cottons, Ruggs, Bayes, Sayes, Serges, Fustians, Stuffs, Knit-Stockings, or any other of the Draperies or commodities aforesaid whatsoever made of wooll, part of wooll, cotton-wooll or otherwise, commonly called or known by the names of the old and new Drapery, to have or carry into any Ship, Barque, Hoy, Cray or Boat within this Kingdom of Ireland, unless the same be marked and sealed by the Alnager, or his Deputy or Deputies, Substitute or Substitutes; or one of them with the seal or mark thereunto ordained, upon pain of forfeiture of his or their Office, and imprisonment by the space of six months without Bail or Main-prize, being duly convict thereof in manner as aforesaid. And it is further Enacted by the Authority aforesaid, That all Mayors, Sheriffs, Bailiffs, Justices of Peace, Head-burroughs, Constables, and all other His Majesties Officers, Ministers and loving Subjects, shall be aiding and assisting unto the Alnager, and to his Deputy and Deputies, Substitute or Substitutes, and every of them by all lawful ways and means whatsoever for the due execution of the aforesaid Offices, as they will answer the contrary at their perils. And be it further Enacted by the Authority aforesaid, That if any person or persons do at any time after the 25. day of June, 1666. counterfeit and set to, or take away from any the Clothes and other Commodities herein called the old and new Drapery, the Alnagers seal, appointed to be fixed to all such Commodities by this Act, that every person and persons so offending, and being duly convict thereof in such manner as is herein appointed, shall forfeit for every such offence, as often as he shall be convict thereof in manner as aforesaid, the sum of Ten pounds Sterling for every such offence, the same to be recovered to His Majesties use in manner as aforesaid.

CAP. XVI.

An Act for the building of a Bridge over the River of Black-water at Cappoquin in the County of Waterford.

WHereas the repairing and new building of the Bridge over the River of Black-water at Cappoquin, in the County of Waterford, will be of great use and convenience not only to the Inhabitants of the said County of Waterford, but also to the several Inhabitants of the County of the City of Waterford, the County of the City of Cork, the Counties of Cork, Kerry, and Tipperary: Be it therefore Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, That the said Bridge over the River of Black-water, formerly at Cappoquin aforesaid, be new built and repaired before the 23. day of October, which shall be in the year of our Lord God, 1666. And that the same shall be built and repaired at the charge of the said several Counties of Waterford, and County of the City of Waterford, Cork, and the County of the City of Cork, Kerry and Tipperary. And be it further Enacted by the authority aforesaid, That for and towards the repair and new building thereof such a sum of money shall be raised out of the said severall Counties of Waterford, & of the County of the City of Waterford, Cork and the County of the City of Cork, Kerry and Tipperary, as to the Lord Lieutenant or other chief Governour or Governours of this Kingdom of Ireland, and the Council for the time being, shall be thought fit and necessary for the new building and repairing thereof, not exceeding six hundred pounds, the same to be raised within such time, and to be divided and apportioned upon the said Counties in such manner as to the said Lord Lieutenant, or other chief Governour or Governours of this Kingdom, and the Council for the time being shall be also thought fit: And the said several sums to be apportioned upon the said several and respective Counties, to be levied by distress and sale of the Goods of the parties refusing, or neglecting to pay the same respectively, or otherwise in such manner, and by such other lawfull ways, and means and persons, as to the said Lord Lieutenant, or other Governour or Governours of this Kingdom of Ireland, and the Council for the time being, shall be thought fit.

CAP. XVII.

An Act for the granting of foure entire Subsidies by the Temporality for the defence of this his Majesties Kingdom.

CAP. XVIII.

An additional Act for the better Ordering and Collecting the Revenue arising by hearth money.

WHereas the Revenue settled on his Majestie, his heirs and Successors, by a late Act made in this Kingdom, Entituled, An Act for Establishing an additional Revenue upon his Majestie, his heirs and Successors for the better support of his and their Crown and Dignity, by reason of some defects in the said Act, and by the negligence of Constables and other Officers thereby intrusted, hath been much diminished, and not duely answered: for remedy thereof, and for the better ascertaining and collecting the said Revenue for the future: Be it Enacted by the Kings most Excellent Majesty, by & with the advice & consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by authority of the same, That wheresoever any returns of any Hearths, Firing places or Stoves, shall in pursuance of the aforesaid Act, or this present Act, be made to any Justices of the Peace in this Kingdom. or such other person or persons as shall be appointed to receive the same, that the said Justices of the Peace, or other person or persons

persons to whom such returns shall be made, or any one or them, shall be, and are hereby authorized, to examine the persons making such returns upon Oath, concerning the truth and faithfulness of their acting in making such returns.

And be it further Enacted by the authority aforesaid, That if any Owner or Occupier of any houses and Edifices, as by the aforesaid Act is required, shall omit in his account so required to be made by the aforesaid Act, any Hearth, Firing-place or Stove, he shall for every such hearth, Firing-place or Stove, he shall so omit, forfeit the sum of four shillings; And also, that in case any Constable or other person that in pursuance of the aforesaid Act, shall be appointed to joyn with, and assist the Constable in taking an account of the severall Hearths, Firing-places and Stoves in each Parish, or any other place, shall make default in giving such notice to the Owners and Occupiers of every House and Edifice in every Parish or other place, as by the said former or this present Act is required, or to deliver such accounts in writing, receive, reform or take by their own view unto the Justices of the peace in their respective Quarter Sessions, or such person or persons as shall be appointed to receive the same, as by the said former, or this present Act is required, that every such Constable and Assistant to him, making such default, shall forfeit for every such Offence the sum of forty shillings, the said forfeitures and penalties to be recovered by Action of Debt, bill, Plaint or Information in any of his Majesties Courts of Record, the one half to the use of his Majestic, and the other half to him or them that shall sue for the same.

And be it further enacted by the authority aforesaid, That it shall and may be lawfull for the Chancellor, Treasurer, Vice-treasurer, and Barons of his Majesties Court of Exchequer, or any three of them, to give and make such further allowance unto the Clerks of the Peace of the respective Counties in this Kingdom, or other person to be appointed for that service, for their labour and pains in and about the writing, engrossing and returning into His Majesties Court of Exchequer the Duplicates and Returns of the severall Constables in parchment, or paper and besides what is allowed by the aforesaid Act, as they shall think meet and convenient, the said further allowance not exceeding Three pence in the pound, any thing in the said former, or this Act to the contrary notwithstanding.

And be it further enacted by the authority aforesaid, That it shall and may be lawful for the Lord Lieutenant, Lord Deputy, or other chief Governour or Governours of this Kingdom for the time being and Council, to constitute and appoint such person and persons as they shall think meet to be the Officer or Officers for the receiving and collecting, and answering the duty arising by the said Hearths, firing places and Stoves, by virtue of the aforesaid Act and this present Act, and for viewing and numbering the severall Hearths, firing-places and Stoves in the said Act, and this present Act mentioned, and for the inspecting and examining the severall Rolls, Certificates and Returns thereof made or to be made, from time to time into his Majesties Court of Exchequer, in pursuance of the said Act, or any other thing belonging to the same, which Officer or Officers, or any of them, shall have full power to examine and supervise the Rolls and number of Hearths, firing-places and Stoves, already returned, or that shall be returned into the said Court of Exchequer, and from time to time to take Copies or Abstracts of the Rolls so returned, without paying any fee for the same, and being accompanied with the Constable, or publick

or proper Officer of the place who are hereby required to attend and assist upon this occasions and in all Parishes and places where there are no Constables, or other publique Officers as aforesaid, or where such Constables or publique Officers shall refuse so to attend and assist there without any such assistance, to enter in the day-time into any dwelling or other House or Edifice, and to search and examine whether there be any more Hearths, firing-places or Stoves, in the same, than were formerly returned or certified, and if they shall find any variance in the number returned, both the Officer or Officers appointed by the Lord Lieutenant, Lord Deputy, or other chief Governour or Governours and Council of this Kingdom, and the Constable or other Officer as aforesaid, if any such shall attend and assist, shall upon all occasions certify the same under his and their hands, to the Clerk of the Peace, or such other person or persons as in his stead shall be appointed to receive the same: which Certificate he or they, are hereby enjoined to make, & likewise at the same time return a Duplicate thereof unto His Majesties Remembrancer in the Exchequer; and the Officer or Officers so appointed by the Lord Lieutenant, Lord Deputy, or other chief Governour or Governours, & Council of this Kingdom, shall from after such his & their appointment, have power to collect and leavy the Revenue and Duties so given to his Majestie, as aforesaid, and all Arrears that shall hereafter grow due for the same, any thing in the aforesaid Act contained to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That from and after such appointment of any such Officer or Officers, in any County of this Kingdom, to collect, leavy and receive the said Duty, and notice thereof being given to the Sheriffs of the said County for the time being, the said Duties shall from time to time be paid to such Officer as shall by vertue of this Act be so appointed to receive the same upon demand thereof, by such Officer or his Deputy, at the House, Chamber or Place, where the same Duty shall arise, or grow due; and that in case of refusal, or default of such payments thereof after such demand, the said Officer, or his Deputy, may at any time, with the assistance of a Constable or other Officer as aforesaid, in the day-time leavy the said Duty, and all the Arrearages thereof, by distress and sale of the Goods of the party or parties so refusing or making default, restoring to the party or parties the overplus of the value of such Goods over and above the Duty and Arrearages thereof then behind, and over and above the necessary charges of taking such distress: which charges shall in no case exceed the fourth part of the Duty and Arrearages thereof so levied; and in case the said Constable or the Officer, shall refuse or neglect to give his assistance in manner as before named, that then such Constable or other Officer, for every such refusal or neglect, shall forfeit the sum of Forty shillings, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majesties Courts of Records, the one moiety to the use of His Majestie, His Heirs and Successors; and the other moiety thereof to him, or them that shall sue for the same.

Provided alwayes, and be it enacted, That no Owners, Proprietors or Occupiers of the said Hearths, firing-places or Stoves, shall be charged, distrained or molested for the said Duty, or any Arrearages at any time after the space of two years next after the Duty hereafter shall become due to His Majestie, His Heirs or Successors, nor for any Arrearages for the said Duty already incurred, before the four and twentieth day of June, 1665. nor for any Arrears whatsoever of the

said Duty which shall not appear upon Record in His Majesties Court of Exchequer, & from & after the appointment of such Officer or Officers, in any County in this Kingdom, and notice thereof given to the Sheriff of the said County, for the time being, all Officers formerly appointed to collect the said Duty, shall be discharged from the future collecting and leavying the same, or demanding any fees or allowances by reason thereof, otherwise than as they are directed by this Act; & the said Officer or Officers, that shall be so appointed as aforesaid to collect this Duty, shall pay the same into His Majesties Exchequer, to the ends in the said former Acts mentioned, by the end of Hilary Term yearly, or within thirty dayes after,

Provided, That no person or persons shall be imployed as aforesaid, unless he and they shall first give in sufficient securitie to His Majesty, His Heirs and Successors, before one or more of the Barons of the Exchequer, for the due collecting, leavying & paying in the said Revenue, or such part thereof as shall be committed to their respective trusts, & shall likewise take a Corporal Oath before one or more of the Barons of the Exchequer, or before such persons as shall be authorized to take such Security, and Oath, by Commission from the said court of Exchequer, for the due and faithful execution thereof, according to the Laws Enacted to that purpose, and that they shall not exact or demand any fee or sum of Money for the execution thereof, from any person, but onely from the Kings Majesty, under pain of being disabled to execute the said Office or Imployment, and upon legal conviction for any such crime, to render treble damages to the party grieved, and shall sign and deliver Acquittances for moneys by them received, without any fee or Reward whatsoever; and every such Acquittance shall be a final discharge, as in the aforesaid Act is provided.

And if any person shall fraudulently stop up, deface, cover or conceal any Hearth, Firing-place or Stove, chargeable by the said Act, or this present Act, and the same be proved, either by confession of the party, or upon oath before one or more Justices of the Peace or chief Magistrate, or such person or persons as shall be authorized thereto, or by their view, he shall for such offence, pay double the value of the Duty for the same, to be leavyed as aforesaid; & if any question or difference shall arise about the taking of any distrels, or levying any monies, by virtue of this or the former Act, the same shall be heard, and finally determined by one or more Justice or Justices of the Peace neer adjoining, or chief Magistrate of the place, respectively upon complaint in that behalf; and the Justices of the Peace and chief Magistrates, and other His Majesties Officers, within their severall Limits and Jurisdictions, are hereby authorized and required to give assistance from time to time, to such Officers as shall be so appointed as aforesaid, for the collecting of the said Duty, according to the true meaning of the said former and this present Act.

And be it further Enacted, That all and every such Officer or Officers, as shall be at any time appointed in manner above mentioned for the collecting, gathering and receiving of the severall sums of money, now or hereafter, to grow due to His Majesty, His Heirs or Successors, for or in respect of the said Duty arising upon Hearths, Firing-places and Stoves, shall satisfie and pay unto the respective Clerks of the Peace of this Kingdom, or to such other person or persons as in their stead, shall be appointed for that service all such allowances as are by the said former Act given & allowed unto them. And shall in pursuance of this Act be given or allowed unto them. Provided alwayes, that until such time as the Lord Lieutenant, Lord Deputy, or other
chief

chief Governour or Governours, and Council of this Kingdom for the time being, shall constitute and appoint such Officer and Officers to Act in, and concerning the premises, as is herein abovesaid mentioned, that all and every Officer and Minister, and other person by the said former Act required, or appointed to do or perform any matter or thing relating unto the levying, raising, collecting or paying in of the said Duty arising upon Hearths, firing-places or Stoves, shall continue to Act according to the severall Powers by the said former Act & this present Act set down and appointed, any matter or thing herein contained, to the contrary notwithstanding.

And be it further Enacted, That it shall and may be lawful for the Lord Lieutenant, Lord Deputie, or other chief Governour or Governours, and Council of this Kingdom for the time being, from time to time to appoint such persons as they shall think fit, to do, execute and perform, all and every the matters and things, which by the said former Act, or this present Act are to be done, executed or performed by any Justices of the Peace, or Clerkes of the Peace, of this Kingdom, and from and after such appointment, all other persons not thereby appointed, shall be, and are hereby discharged from doing, executing and performing any matter or thing relating unto the premises, any thing in the said former Act or in this present Act, to the contrary notwithstanding. And whereas there is one Clause in the said former Act, contained in these words, Provided always, and be it further Enacted, That in case any two Justices of the Peace, shall in writing under their hands yearly certify their belief, that the house wherein any person doth inhabit within such County wherein they are Justices of the Peace, is not of Greater value then eight shillings *per. annum*, upon the full improved Rent, and that neither the person so inhabiting nor any other using the same Messuage, hath, useth or occupieth any Lands or Tenements, of their own or others, of the yearly value of Eight shillings *per. annum*, nor hath any Lands, Tenements, Goods or Chattels, of the value of four pounds in their own possession, or in the possession of any other in trust for them, then in such case, upon such Certificates made to the Justices of the Peace of such County, at any of their Quarter-Sessions to be held for the same County, and allowed by them, for which Certificate and Allowance, no Fee shall be paid; the person on whose behalf such Certificate is made, shall not be returned by the Constable, or other persons to be Assessor to them as aforesaid, and the said House is hereby for that year discharged of and from all Duties by this Act imposed, any thing herein contained to the contrary notwithstanding: Be it further Enacted by the authority aforesaid, That the said Clause shall be construed to extend onely to such Widdowes as shall produce such Certificates as are therein mentioned; and as to all other persons whatsoever, the said Clause is hereby absolutely repealed.

And be it further enacted, That no Houses or Edifices, within the scite or precinct of any Cathedral or Collegiate Church within this Kingdom, shall by the aforesaid Act, be discharged of the Duties thereby or by this present Act, payable to his Majestie, any thing in the said former Act contained to the contrary notwithstanding.

And whereas by the said former Act private Ovens and Kilnes are not to be charged with any Duty to his Majestie, as other Hearths, firing-places and Stoves, and that some doubt hath been made, and may hereafter arise, what shall be construed and taken for private Ovens and Kilnes, and what shall be taken and accounted for publique Ovens and Kilnes: Be it further Enacted, Explained and Declared by the authority aforesaid, that all Ovens in Bakers Houses, and in Taverns, Inns and Victualling houses, as also all Kilnes wherein Vault or other Grain, is, or shall be dreyed, to be sold, shall be deemed, construed and taken to be publick Ovens and Kilnes, and shall be charged accordingly, and that all other Ovens and Kilnes shall be accounted

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and taken as private Ovens and Kilnes, and shall not be charged with any Duty to his Majestie for the same, any thing in the said former, or this present Act, to the contrary notwithstanding.

And be it further Enacted by the authority aforesaid, That the said Duty by the aforesaid, & this present Act made payable to his Majestie, shall be payable yearly on the tenth day of January in every year at one intire payment, and that all Returns to be made by any Owners or Occupiers, of any houses, or Edifices of any Hearths, firing-places and Stoves in this Kingdom, shall be made and delivered in to the Constable, or other Officer in every Parish some time before the tenth day of November yearly, and to that end the severall Constables, and Assistants to them are required to give notice to the severall Owners and Occupiers of houses, and Edifices throughout this Kingdom yearly, by the third day of November to deliver in such accompts of their Hearths, firing-places and Stoves, as by the said former Act, or this present act is directed, any thing in the aforesaid Act contained to the contrary notwithstanding.

And whereas fires are often made in divers and severall places in such dwelling houses as have no fixed Hearth with Chimnies over them, which may occasion uncertainties in the Returns to be made of all Hearths, and firing-places wherein any omission is penal by this Act, for prevention whereof it is hereby declared and Enacted, That from and after the Twenty fourth day of March, which shall be in the year 1667. all such houses shall be deemed, and taken to have two Hearths, and be chargeable with payment of the duty accordingly, until such time as there shall be one or more fixed hearth or hearths with a Chimney, or Chimnies placed over the same in all and every dwelling house or houses aforesaid, any thing in the aforesaid Act, or this present Act contained to the contrary notwithstanding.

And whereas the great sufferings of Sir Henry Tichburn Knight by the late Rebellion in this Kingdom, which began on the Thre and Twentieth day of October, 1641. And the many and great Services which he performed to his Majesties Royal Father of Blessed Memory, in the Conduct of those forces committed to his Charge against the Rebels at the breaking out of the said Rebellion, and often afterwards during the continuance thereof, cannot be forgotten: which Services as they were performed with the often hazard of his life, so it is agreeable to Honor and Justice, that an extraordinary mark of favour be placed upon him, both to deliver over to posterity, the Gracious sence which his Majestie hath of his Sufferings and Services, and the grateful Memory which this Kingdom retains thereof: And whereas by the Act for taking away the Court of Wards and Liberty in this Kingdom, the said Sir Henry was thereby deprived of the Benefit of the Wardship of Nicholas Plunket of Dunsaghy Esq; which was given him by his late Majesty towards a compensation for his Losses by, and Services against the said Rebels, for which Wardship he payed a Considerable fine to his Majesty, and underwent other expences concerning the same: Be it therefore Enacted by the authority aforesaid, That the said Sir Henry Tichburn, his Executors and administrators, shall have and receive in satisfaction of his Services and Losses aforesaid, out of such moneys as are or shall be payable, or levied out of the Hearths, firing-places, or Stoves in this Kingdom, the sum of Two thousand pounds sterling to be paid within the space of one year next ensuing, and his Majesties Vice-Treasurer, or Receiver General of this Kingdom now being, or that hereafter for the time shall be, is and

are hereby authorized and required, out of the said Moneys, to satisfy, and pay to the said Sir Henry Eichburn, his Executors, Administrators, or Assigns the said Two thousand pounds accordingly, and for so doing this Act shall be to his Majesties said Vice-treasurer and Receiver General of this Kingdom now being, and that hereafter for the time shall be, and to the Commissioners of his or their Accompts, sufficient warrant and discharge in that behalf.

CAP. XIX.

An Act for the better ordering the selling of Wines and Aquavite, Together with all sorts of Strong waters by Retail.

FOr the better ordering and selling of Wines, Aqua-Vite, and all sorts of Strong-Waters by Retail, in Taverns and other places and for preventing of abuses therein, Be it Enacted by the Kings most Excellent Majestie, by and with the consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the Authority of the same, That no person or persons whatsoever from and after the 29. day of September, in the year of our Lord, 1666. unless he or they be licenced and enabled in manner and form as in this present Act is prescribed and appointed, shall sell or utter by Retail (that is to say, by the Pinte, Quart, Bottle or Gallon, or by any other greater or lesser Retail measure) any kind of Wine or Wines, Aqua-Vite, Usquebagh, Brandy, Balkan or other distilled Strong-waters whatsoever to be drunk or spent within his or their Mansion House or Houses, or other place in his or their Tenure or Occupation, or without such Mansion House or Houses, or such other place in his or their Tenure or Occupation, by any colour, craft or meanes whatsoever, upon pain to forfeit for every such offence the sum of five pounds, the one Moietie of every such penalty, to be to our Sovereign Lord the King, His Heirs and Successors, the other Moietie to him or them that will sue for the same by Action of Debt, Bill, plaint, or Information in any of the Kings Courts of Record: In which Action or Suite, no Cessioigne, wager of Law or Protection shall be allowed.

And be it further Enacted by the Authority aforesaid, That Commissioners shall from time to time be awarded under His Majesties Great Seal into every County in this Kingdom, to a convenient number of Commissioners to be nominated by the Lord Lieutenant, or other chief Governour or Governours of this Kingdom and Council for the time being. The said Commissioners to be chosen out of the Justices of the Peace, with such others to be added to them as the Lord Lieutenant or other chief Governour or Governours and Council of this Kingdom for the time being shall think fit: which Commissioners shall consider of the ability and sufficiency of the person and persons that shall be licensed to sell or utter by Retail as aforesaid, any kind of Wine or wines, Aqua-Vite, Usquebagh or Strong-waters, Brandy, Balkan, or any other distilled strongwaters whatsoever: & the said Commissioners or any two or more of them, shall assemble at such times, and at such known place or places within the limits of their Commissions, as they shall think fit, and then and there shall make choice of such persons, whom aswell for their good behaviour, as for their abilities and conveniences of Houses, Furniture and places of dwelling, they shall know or be credibly informed to be the fittest to sell Wines, Aqua-Vite and Strong-waters as aforesaid, taking always special care, that such as they shall license be persons of good behaviour and report, and that the said Commissioners, or any two or more of them, shall license such persons to sell and utter by Retail all

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or any kind of Wine or Wines, Strong-waters, for any other the Liquors distilled, or Strong-waters whatsoever aforesaid, to be drunk and spent, aswell within the House or Houses, or other place in the Tenure or Occupation of the parties so licensed as aforesaid, as without in any City, Town or other place within the Kingdom of Ireland, for any term not exceeding three years from the 29th, of September next preceeding the making of such Licence, and no longer: And that the said Commissioners by their said Commissions shall be especially Authorized to make the said Licences, and that every such Retailer of Wine or Wines whatsoever as aforesaid, shall pay to His Majesties use such sum as shall be agreed to be paid for such Licence, so as none do pay less than the sum of Forty shillings yearly; and that none be compelled in the City and County of the City of Dublin to pay more than forty pounds yearly, and in all other Cities, Towns Corporate and other places, aswell within as without Franchises and Liberties in this Kingdom, more than Twenty pounds yearly: And that every such retailer of Aqua-vite, Usquebagh or Strong-waters whatsoever, Brandy, Balkan, or any other distilled Strong-waters whatsoever as aforesaid, shall pay to His Majesties use such sum as shall be agreed to be paid for such licence, so as none do pay less than the sum of ten shillings yearly, and none shall be compelled to pay more in the City and County of the City of Dublin than Ten pounds yearly, and in all other Cities, Towns Corporate and other places, as well within as without Franchises and Liberties in this Kingdom, than the sum of Five pounds yearly, by two feberal equal payments, the first whereof to be made before the person so to be licenced take out his Licence, and the second payment to be made at the end of six months after the date of such Licence, to the hands of Collectors to be appointed in every county for that purpose, by the said Commissioners for such County, or any three or more of them (of which Collectors) the Commissioners to be appointed for granting the said licences, or any two or more of them are to take Recognizances with good security, with condition for payment duly into the receipt of his Majesties Exchequer all such sum and sums of money, which in respect of the said Licences shall be received by him; which Recognizances the said Commissioners, or any two or more of them are by this Act authorized to take accordingly, and if the same shall become forfeited to return the same into his Majesties said Court of Exchequer, and also to take Bonds of the parties licensed for the respective second payments, and that the Collectors aforesaid shall attend every Commission and Session of the said Commissioners, aswell to make Licences and Recognizances, and to enter the names of all such as shall be licensed into a fair Book, as also to receive such moneys as shall accrew out of the said Licences unto His Majesty, and the feberal sums thereof likewise to enter into the said Book, which Book at the end of every sitting, shall be signed by the hands of two of the said Commissioners at least, and shall be returned together with such moneys as shall be received into the Exchequer by the said Collectors (that is to say) the first payment of the said moneys by the end of Michaelmas Term, or thirty days after, and the second payment by the end of Easter Term, or thirty daies after yearly; and the said Bonds to remain in the hands of the said respective Collectors, and not to be returned into the Exchequer, but in case of failer of payment upon the daies limited, and if the said Commissioners or any of them, or the said Collectors or any of them, shall conceal the name or names of any person or persons so licensed, or any sum or sums of money received for

for the same, or any of the said Recognizances or Bonds, the parties so offending, shall for every such offence forfeit the sum of Twenty pounds sterling.

And it is further Enacted by the authority aforesaid, That the said Collectors respectively may also receive after the rate of two shillings for every year, which shall be comprised in such licence for selling of Wines, and after the rate of twelve pence for every year which shall be comprised in such licence for selling Strong-Waters as aforesaid, and no more, over and above the several sums that shall be agreed to be paid for the licences by the respective persons to whom the said licences shall be so granted, to be distributed by the Commissioners to their Clerks and Collectors aforesaid, in such manner and proportion as they shall think best for carrying on of the service aforesaid, and that the said Collectors shall neither directly nor indirectly exact or receive of any person to be licenced as aforesaid; any sum of money, Fee or Reward for the said Recognizance, Licence or Acquittance other than as aforesaid, upon pain of forfeiting the sum of Ten pounds sterling, and shall also be put from their Office, and that none of the said Commissioners shall directly or indirectly take any sum of money, Fee or Reward of any of the said Retailers for or concerning the obtaining of licence as aforesaid, upon pain of forfeiting the sum of forty pounds sterling.

And be it further Enacted by the authority aforesaid, That no person after the said Twenty ninth day of September, in the year of our Lord, 1666. shall sell any Wine, Aquavite or other Strong-waters as aforesaid by Retail, without licence to be granted in manner as aforesaid, upon pain that every person offending herein, shall for every such offence, forfeit the sum of five pounds, to be recovered and distributed in manner and form as aforesaid.

And it is hereby further Enacted by the authority aforesaid, That no Merchant, Vintner, Cooper or other person selling or Retailing any Wine. shall mingle or utter any Spanish Wine mingled with any French Wine, or Rhenish Wine, Syder, Perry, Honey, Sugar, Syrups of Sugar, Molosses, or any other Syrups whatsoever, nor put in any Ilinglafs, Brimstone, Lime, Raisons, Juice of Raisons, Water, nor any other liquor nor Ingredients, nor any Clary or other Herb, nor any sort of flesh whatsoever, nor any Milk: And that no Merchant, Vintner, Wine-Cooper, or other person selling or retailing any Wine, shall mingle or utter any French Wines mingled with any Rhenish Wines, or Spanish Wines Syder, Perry, Stum'd Wine, Vitriol, Honey, Sugar, Syrup of Sugar Molosses, or any Syrup whatsoever, nor put in any Ilinglafs, Brimstone, Lime, Raisons, Juice of Raisons, Water or any other liquor or ingredients, nor any Clary or other Herb, or any sort of flesh whatsoever or Milk: that no Merchant, Vintner, Wine-cooper or other person whatsoever, selling or retailing any wine, shall mingle or utter any Rhenish wines mingled with any French wines or Spanish Wines, Syder, Perry, Stum'd Wines. Vitriol, Honey, Sugar, Syrup of Sugar, Molosses, or any other Syrups whatsoever, nor put in any Ilinglafs, Brimstone, Lime, Raisons, Juice of Raisons, Water, nor any other kind of Liquor or ingredients, nor any Clary or other Herb, nor any sort of flesh whatsoever or Milk: And that all and every person and persons committing any of the offences aforesaid, shall incur the pains and penalties hereafter mentioned (that is to say) every Merchant, Wine-cooper, or other persons selling any sorts of Wines in gross, mingled or abused as aforesaid,

foresaid, shall forfeit and lose for every such offence the sum of twenty pounds sterling, and that every Vintner, or other persons selling any sort of Wine by Retail mingled or abused as aforesaid, shall forfeit and lose for every such offence the sum of ten pounds sterling, of all which forfeitures aforesaid, one Moiety shall go unto the Kings Majestie, his heirs and Successors, the other Moiety to the Informer. And all and every the forfeitures in this Act, before mentioned and contained, to be recovered in any Court of Record by Action of Debt, Bill, plaint or Information, wherein no Effeine, Protection or Wager of Law shall be allowed.

And be it further Enacted by the authority aforesaid, That in case any person or persons whatsoever shall offend contrary to the intention of this Act, or shall incur any forfeiture or penalty therein mentioned, that such person or persons so offending, shall be proceeded against and punished, either in his Majesties Court of Exchequer, or before the Justices of Assize at the General Assizes, or the Justices of the peace at their Quarter-Sessions, who by this Act are authorized to enquire of all and every the offences against this Act, and to hear and determine the same.

C A P. XX.

An Act for the Tryal by Nisi Prius of Issues laid in the City of Dublin, and County of Dublin.

VV Hereas heretofore Issues joyned in any of his Majesties four Courts at Dublin, tryable in the City of Dublin, or County of Dublin, have been usually tryed at the bars in the said Courts in Dublin; and whereas by the number of Actions brought in the said City and County for speediness of tryal for small Causes, the Judges of the same Courts may be letted and hindred in their proceedings in matters of Great weight depending before them by Demurrer or otherwise, not onely to the great delay of Justice, and occasion of great expences and charges of a number of the Kings Majesties most loving Subjects, but also to the trouble and charge of the Citizens and Free-holders of the said City and County, who are compelled to give daily attendance at the severall Bars of the same severall Courts, for the tryal of the said Issues: For reformation thereof, Be it Enacted by the Kings most Excellent Majestie, with the assent of the Lords Spiritual & Temporal, and the Commons in this present Parliament assembled, and by the Authority of the same, That from henceforth the chief Justice of the Kings Bench for the time being, upon Issues joyned, or to be joyned in the Court of the Kings Bench or in the Court of Chancery, the chief Justice of the Common Pleas for the time being, upon Issues joyned or to be joyned in the Court of common Pleas, and the chief Baron of the Exchequer for the time being, upon Issues joyned or to be joyned in the Court of Exchequer, or in the absence or default of any of them, one or more of the other Judges or Barons of the same severall Courts where it shall happen, either of the same chief Justice or the chief Baron for the time being to be absent, shall or may at their discretions, within the place where the said Courts are or shall be commonly kept in the said City or County of Dublin as Justices of Nisi prius for the said City and County of Dublin within the Term-time, or within four dayes next after every or any Term, severally try all manner of Issues joyned or to be joyned in any of the said severall Courts, which by the ordinary course of the Lawes of the Realm ought to be tryed in any of the said Courts by an Inquest of the said City or County of Dublin, and that Commissions and Writs of

Nisi prius shall be awarded in such Cases, and in such form as they are or have been used in any other Shire of this Realm, and that it shall be lawfull for any person or persons from henceforth, upon reasonable warning given to the adverse party, or his or their Attourney, as hath been used in such like cases, to take and sue forth Writs and Records of Nisi prius for the tryal of the said Issues in the said City and County of Dublin, as they may do upon any Issue joyned, tryable in any other County, and thereupon take Jury in such manner and forme, and with awarding of Tales de circumstantibus, and awarding the non-suit as is used for the tryal of Issues joyned, or Non-suits to be awarded in the said Courts, or any of them, tryable within any other County within this Realm of Ireland, and that the Sheriffs of the said City of Dublin, and the Sheriff of the said County of Dublin for the time being respectively, shall make return of all Writs of Nisi prius, which shall be delivered to them, or their, or any of their sufficient Deputy for the time being, before the said Judges, Baron or Barons, and every of them, and shall give their attendance upon the said Justices, Baron and Barons, as well for the returning of such Tales as shall be prayed de Circumstantibus, for the trying of the said Issues, as for the doing and executing of every thing and things to the office of Sheriff in such case belonging or appertaining, and that all persons to be impannelled in such Juries, and the parties to the same Issues and Suits, and the witnesses for the same shall be charged and bound in such and the like sort, and upon like pains and penalties for their not appearance and attendance, or for their or any of their mis-demeanours or default, before the said Justices of Nisi prius as they should have been if the same issue had been tried in the Court from whence the Nisi prius was awarded: All which several tryals so to be had before the said several Justices, Baron or Barons, shall by authority of this present Parliament stand and be as good and available in Law, as if the same had been tried in the Term time at the Bar in the Court where such Issue was joyned or tryable, any Law, Usage or Custom heretofore made, used or accustomed to the contrary hereof in any wise notwithstanding.

CAP. XXI.

An Additional Act to the Act intituled, An Act for the cleansing the Water-course in St. Patrick-street.

V Whereas the Cathedral Church of St. Patricks Dublin is of the foundation of his Majesties Royal Progenitors, and standeth in a low valley subject to the inundation of sudden floods which fall from the Mountains near adjacent unto the Water-course there, called the Poddell, which runs on either side of St. Patricks-street, and breeds such annoyance as not only most of the dwellings of the Inhabitants thereabouts are suddenly overflowed thereby, but that ancient Noble Fabrick is in great hazard to be totally ruined, if some speedy & effectual course be not taken to prevent the same: And whereas some Provision heretofore made, in the Reign of His Majesties Royal Ancestor King Henry the Second, for removing that nuisance, by keeping the said current clean, and the water-passage large and open but by the licentiousness of late times many stoppages have been made by the Inhabitants casting of the rubbish into the very streams, which run under the houses, and also by Tanners making damms and dikes there to water their skins, and laying foundations of floors and Buildings, in the midst of the very water-course, for remedy whereof and to the intent the said stoppages & other nuisances may be removed,

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and the like mischiefs if possible prevented for the time to come: May it please your Majesty that it may be Enacted, and be it Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, & the Commons in this present Parliament assembled, & by the authority of the same, that the Mayor of the City of Dublin for the time being, the Arch-bishop of Dublin for the time being, Edward Earl of Meath, the Lord chief Justice of his Majesties Court of Chief place in Ireland, for the time being, the chief Justice of the Common Pleas for the time being, the chief Baron of his Majesties Court of Exchequer for the time being, his Majesties Principal Secretary of State for the time being, his Majesties Attorney and Solicitor General for the time being, the dean of the Cathedral Church of the Holy Trinity Dublin for the time being, the Dean of the Cathedral Church of St. Patricks Dublin for the time being, and the Recorder of the City of Dublin for the time being, they or any five or more of them, whereof the Lord Archbishop of Dublin for the time being to be alwayes one, shall be & are hereby appointed Commissioners for preserving the said Cathedral from ruine, or decay, by means of the said nuisance, and inundation: and shall have full power and authority by virtue of this Act, and are hereby authorized from time to time, to meet together at such dayes and times, in such place and places as they shall think convenient, and by the oaths of good and lawfull men, or by any other lawfull wayes and means to inquire of the causes of the said nuisance, and over flowing of the waters, or by whom or by what means the same is, or shall be occasioned; and advise how and in what manner the same may be remedied and prevented, and shall also have power and authority to examine upon Oath all such persons as shall be produced before them to give information touching the stopages and over-flowing of the said Water-course; be the same within the County of Dublin, or within the County of the City of Dublin, or within any Liberties.

Be it further Enacted by the authority aforesaid, That if upon inquiry or examination taken as aforesaid, it shall appear to the said Commissioners, or any five or more of them as aforesaid, that the said nuisance is or shall be occasioned in part or in whole by any Inhabitant dwelling upon or near to the said Water course, or any other person or persons, under whom such Inhabitant claims any interest there, That then and in such case upon conviction of such person or persons of such nuisance, by the testimony of two credible witnesses upon Oath, which Oath the said Commissioners or any five or more of them as aforesaid, are hereby authorized to administer, or by confession of the party, or notorious evidence of the facts it shall and may be lawfull to and for the said Commissioners, or any five or more of them as aforesaid to make a Record of such offence or offences under their hands and Seals respectively, or the hands or Seals of any five or more of them as aforesaid, which Record so made as aforesaid, shall remain in the custody of the Mayor of the City of Dublin, and his Successors, and shall to all intents and purposes be in law taken and adjudged a full and perfect conviction of every such offender or such offence, and thereupon the said Commissioners or any five or more of them as aforesaid, shall issue a precept in writing under their hands and seals, or the hands and seals of any five or more of them as aforesaid, to require such person or persons so convict, to cause the said nuisance to be removed, at his own cost and charges, within such reasonable time as they shall think fit to appoint for that work; and in case such offender

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convict as aforesaid, shall neglect or refuse to remove the said nuisance according to the time appointed, that then it shall and may be lawful for the said Commissioners, or any five or more of them as aforesaid, to impose a fine upon such person or persons so convict, and neglecting or refusing to remove such nuisance within the time limited, not exceeding five pounds, and to commit such offender and offenders to the next Goal, there to remain without bail or mainprize, until he and they at his and their own proper cost and charges shall fully remove such nuisance, according to the purport of the said precept issued by the said Commissioners, or any five or more of them as aforesaid.

Be it further enacted by the authority aforesaid, That if any such offender so convicted as aforesaid, shall at any time again commit the like offence contrary to the Act, and be therefore convicted in manner as aforesaid, Then every such offender so convicted of such second offence, shall be imprisoned by Warrant from the said Commissioners or any five or more of them as aforesaid, until he have at his own proper costs and charges removed such nuisance, and paid down unto such person or persons as the said Commissioners, or any five or more of them as aforesaid, shall appoint, such sum of money not exceeding Ten pounds, as the said Commissioners (who are thereunto authorized by this Act) shall fine such Offender at, for his or their second offence.

And be it further Enacted by the authority aforesaid, That if any such Offender so convict of a second offence in manner as aforesaid, shall at any time again commit the like offence contrary to this Act, That then and in such case, as often as such person shall after such second conviction commit any offence contrary to this Act, and be thereof convict in manner as aforesaid, It shall and may be lawful for the said Commissioners, or any five or more of them as aforesaid, to commit such person or persons to prison, there to remain without Baile or mainprize, untill such person or persons shall at his and their own proper costs and Charges have removed such nuisance, and paid in manner aforesaid such sum of money (not exceeding Ten pounds) as the said Commissioners, or any five or more of them as aforesaid (who are hereunto authorized by this Act) shall fine such Offender at, for his several offences respectively, so often as he shall commit the same after such second conviction contrary to this Act. And the said Commissioners, or any five or more of them as aforesaid, have hereby full power and authoritie to order and direct the making of any new Gratts, Vaults or Sellers, or to cut into any Dreyne or Seller already made, or the altering, enlarging, amending, cleansing or scouring of any old Vaults, Sincks or common Sellers, for the making, amending or altering of any new or old Pavements, or taking away of cross Gutters or Channels, and for the removing of all kind of unisances, or any encroachments by Sheds, Stalls, Burks, Stumps, posts or walls, beyond the old foundations into the Streets in such places which shall be adjudged convenient, & to hinder the passage: Provided that such encroachments as the aforesaid, which are nuisances that have continued above thirty years last past, shall not be removed, nor any new Gratts or Sellers cut or made until reasonable satisfaction shall be given by the said Commissioners to the party or parties that shall suffer thereby: And if any person or persons shall own the said Encroachments, or shall not accept of such reasonable satisfaction as shall be tendered or offered by the said Commissioners, or any five or more of them as aforesaid, for the pulling down or removing such nuisances

or encroachments as have been continued before the time aforesaid, or making or cutting new Grafts, Vaults or Sellers, That then and in such case of refusal, the Lord Chancellor of Ireland for the time being, upon a petition preferred to him by the party grieved, shall have power, and is required by this Act to adjudge what satisfaction shall be fit for the said person or persons to receive for the removing or pulling down any such nuisances or encroachments, or making or cutting any new Grafts, Vaults or Sellers as aforesaid.

And be it further Enacted by the authority aforesaid, that all such fines as shall be imposed by the said Commissioners or any five or more of them as aforesaid, upon any person or persons for any offence committed contrary to this Act shall be levied by warrant under the hands & seals of the said Commissioners or any five or more of them as aforesaid, directed unto the Constable or Constables of the Parish where such offender or offenders do live, (which warrant the said Commissioners or any five or more of them as aforesaid are hereby authorized to issue) And the said Constable or Constables of such parish or parishes respectively, are hereby authorized and required upon Receipt of such warrant to go unto the person or persons so fined and demand payment of such fine, and in case of neglect or refusal thereof to distrain for the same; and such distresses so taken to sell, paying the overplus if any shall remain over and above such fine back again unto the person or persons so distrained, and the said Constable and Constables are to pay all such moneys as shall be received, or levied by way of distress into the hands of such person or persons as by the said Commissioners or any five or more of them as aforesaid shall be appointed, who are hereby authorized to receive the same, and dispose thereof from time to time for the removing of the said nuisances, and preserving the said Cathedral from inundations in such manner as the said Commissioners or any five or more of them as aforesaid shall by warrant under their hands direct and appoint.

And be it further enacted by the authority aforesaid, That if any Constable or Constables shall neglect or refuse to execute any warrant or warrants made unto them for distraining and selling the Goods & Chattels of any offender against this Act, or levying such sums of moneys as shall be imposed by the said Commissioners or any five or more of them as aforesaid, such Constable or Constables so offending shall incur the penalty of imprisonment for any time not exceeding six months, and shall pay such fine as the said Commissioners or any five or more of them as aforesaid shall think fit to impose (not exceeding five pounds) which the said Commissioners or any five or more of them as aforesaid are hereby authorized to impose and levy in manner as aforesaid, as they shall see cause, and may also by warrant under their hands and seals commit such offender and offenders to the next Goal in Cases of neglect or Refusal to Execute his duty according to the tenor of this Act, and the said Goaler is hereby required to receive all offenders against this Act so sent to him by the said Commissioners or any five or more of them as aforesaid, and to detain him or them in safe custody according to the said warrant, upon penalty of five pounds to be levied as aforesaid.

And be it further Enacted by the authority aforesaid, That in case the said Commissioners or any five or more of them as aforesaid, upon enquiry and due consideration had of what are the causes of the said nuisance and inundation, & how and by what means the same may be remedied, whether by diverting the water-course or turning the streams
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some other way (whereby the fabrick of the said Cathedral Church may be preserved from ruine, & the Dwellings of the neighbouring Inhabitants from being so frequently overflown) shall find that the same cannot be well effected without some considerable expence of moneys, that then and in such case, it shall and may be lawful for and for the said Commissioners or any five or more of them as aforesaid (and the said Commissioners or any five or more of them as aforesaid shall be & are hereby authorized at any time hereafter, when and as often as the said Commissioners or any five or more of them as aforesaid shall find it necessary) to lay such Tax or Assessment upon the Dean, Dignitaries & Prebends of the said Cathedral Church of St. Patrick Dublin, & the several Inhabitants of St. Patricks-street and in the Close of the said Cathedral, and on all persons that live within the liberties of St. Sepulchers and Donore, or within the level and danger of the said Inundation, as they shall conceive may be sufficient, to defray the charges of making a new Graft or current, or scotoring or cleansing the old Grafts or currents for preventing the said Inundation and confluence of waters to the overflowing of those parts: Provided that no person or persons be rated or assessed in any one year towards the said Tax above the sum of five pounds sterling, and the said commissioners or any five or more of them as aforesaid, are hereby authorized by precept under their hands and Seales, or the hands and Seals of any five or more as aforesaid, to cause the said monies to be equally rated, assessed and taxed upon the several Parishioners and Inhabitants of the places aforesaid, and the same to be levied and collected by way of distress and sale of the offenders Goods, in manner as is herein formerly mentioned, and to pay all such monies as shall be so Taxed and levied into the hands of such person or persons as by the said Commissioners or any five or more of them as aforesaid shall be appointed, who is to issue forth the same from time to time as the said Commissioners or any five or more of them as aforesaid shall think fit: And if any person or persons be at any time sued for putting in execution any of the powers contained in this Act, such person and persons shall and may plead the general Issue, and give the special matter in evidence, and if the Plaintiff be non-suit or a verdict pass for the Defendant thereupon, or if the Plaintiff discontinue his Action, or if upon demurrer judgment be given for the Defendant, every such Defendant shall have his and their treble costs, and the said Commissioners or any five or more of them as aforesaid, are hereby authorized to appoint a Treasurer or Collector and Clerk to attend them with such moderate allowances as shall be fit, not exceeding five shillings for each day the Commissioners shall meet and sit on the matter aforesaid.

CAP. XXII.

An Act for the Naturalization of *Maria Euphemia Dungan*, *Walter Dungan Esq; Ursula Dungan*, *Judith Cox* alias *Keating*, and *Charlotte Lane* Daughter to *Sir George Lane* Knight.

CAP. XXIII.

An Act for the settling the Abby of St. *Johns*, in or near *Athy* upon *Dame Mary Merideth* and her Heirs for ever.

F I N I S.

The resolution of the Doubts by the Lord Lieutenant and Council, upon the Act of Settlement and Explanation thereof.

By the Lord Lieutenant and Council.

O R M O N D E.

VV Hereas His Majesties Commissioners for putting in Execution the Act, intituled, An Act for the better Execution of His Majesties gracious Declaration for the settlement of His Kingdom of Ireland, and satisfaction of the several Interests of adventurers, Souldiers, and other his Subjects there; And one other Act, intituled, An Act for the explaining of some doubts arising upon an Act, intituled, An Act for the better execution of His Majesties gracious Declaration for the Settlement of his Kingdom of Ireland, and satisfaction of the several Interests of Adventurers, Souldiers, and other His Subjects there, and for making some alterations of and additions unto the said Act for the more speedy and effectual settlement of the said Kingdom, Have the second day of April 1666. presented unto Us the Lord Lieutenant and Council, a Writing under their hands and seals, which followeth in these words;

To His Grace James Duke of Ormond, Lord Lieutenant General, and General Governour of Ireland; and to the Right Honourable the Lords of His Majesties privy Council there;

The humble Address of His Majesties Commissioners for putting in execution the Act, intituled, An Act for the better execution of his Majesties Gracious Declaration for the settlement of His Kingdom of Ireland, and satisfaction of the several interests of adventurers, Souldiers, and other His Majesties Subjects there; and one other Act, intituled, An Act for the explaining of some doubts arising upon an Act intituled, an Act for the better execution of his Majesties Gracious Declaration for the settlement of his Kingdom of Ireland, and satisfaction of the several interests of Adventurers, Souldiers, and other His Subjects there, and for making some alterations of, and additions unto the said Act, for the more speedy and effectual settlement of the said Kingdom.

VV Hereas in the said Act, intituled, An Act for the explaining of some doubts arising upon an Act, intituled, an Act for the better execution of his Majesties Gracious Declaration for the settlement of His Kingdom of Ireland, and satisfaction of the several Interests of Adventurers, Souldiers, and other His Subjects there, and for making some alterations of, and additions unto the said Act, for the more speedy and effectual settlement of the said Kingdom, page 868. it is enacted in these words; And that in all cases which shall happen before the Commissioners within the space of two years next after their first sitting, wherein the construction of this or the said former Act shall appear doubtful to them, or that the Act itself shall be found defective in some points necessary for the carrying on of the intended final settlement, and not clearly enough determined and provided for by this Act, the Commissioners, or any three or more of them, shall and may by writing under their hands and seals, acquaint the Lord Lieutenant, or other Chief Governour or Governours of Ireland, and Council there for the time being with their proceedings and doubts arising thereupon, and the defects appearing in this present Act, and such Order of amendment, enlargement of periods, explanation or direction as shall be thereupon made by the Lord Lieutenant, or other chief Governour or Governours and Council by Act of Council in writing, for the better and more easie execution of this Act, and for promoting the ends thereof onely, shall be as binding to the Commissioners, and all other persons, and effectual, as if the same had been part of this present Act, so always that the said Act and Acts of Council, be made within the said two years, and inrolled in the high Court of Chancery. We his Majesties said Commissioners do humbly acquaint your Grace and the Council with these following doubts arising upon several cases happening before us, in which the construction of the said Acts doth appear doubtful unto us.

First, Whether all Honors, Mannors, Castles, Houses, Places, Lands, Tenements, and Hereditaments, Right, title, Service, Chieftie, Use, Trust, Condition, Fee, Rent-charge, Chattels real, Mortgage, right of Redemption of any Mortgages, Recognizances, Judgements, Forfeitures, Extent, Right of action, Right of entry, Statute, or any other Estate of what nature or Kinde soever in all and every the Counties, Baronies, Cities, Townes Corporate and walled Townes within this Kingdom, which did on the Three and twentieth day of October 1641. or at any time since, belong to any Irish Papist, Popish recusant, or Roman Catholick, or which have been returned by the Civil survey, or Down Survey, or either of them, as belonging to any Irish Papist, Popish Recusant, or Roman Catholick, and what at any time from and after the said 23d. day of October, 1641. were seized or sequestred into the hands, or to the use of his late Majestie King Charles the first, or of his Majestie that now is, which were allotted, assigned, given, granted, ordered, distributed, disposed, demised, set out, or set apart to or for any person or persons use or uses, for adventures, arrears, Reprizals, or otherwise, or whereof His late Majestie, or His Majestie that now is, or any adventurer, Souldier, reprizeable person or others respectively, had and received the Rents, Issues and profits, or whereof the Adventurers, Officers, Souldiers now or formerly of the English Army in this Kingdom, or transplanted or transplantable persons, or any of them, or their or any of their Heir, Heirs or Assigns were in Seisin, possession or occupation by themselves, their Tenants, Agents or Assigns, on the seventh day of May, 1659. or which were assigned, given, granted, laid out, set apart or reserved for or towards the satisfaction of any the said adventurers, Souldiers or other persons, for or in consideration of any money or provisions advanced, lent or furnished, or for arrears of pay, or in compensation of any service, or reputed services, or other accompt whatsoever; or reserved, or mentioned to be reserved for or in order to a reprizal or Reprizals for such Incumbrances as then were, now are, or shall be adjudged due to any person or persons, out of the said Lands, Tenements

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or Hereditaments, or for any other use, intent or purpose whatsoever, or whereof any *Custodiam*, lease for year or years, or other Disposition or Grant whatsoever hath been made, excepting such Lands, Tenements and Hereditaments, Rights, Titles and Interests, as did on the said 23^d. day of *October*, 1641. rightfully belong unto such persons as by His Majesties late Commissioners for executing the said Act, intituled, *An Act for the better execution of his Majesties Gracious Declaration for the settlement of his Kingdom of Ireland, and satisfaction of the several interests of Adventurers, Souldiers, and other His Subjects there*, have been already adjudged innocent, and excepting such Lands, tenements and Hereditaments, Rights, titles and Interests as have been by His Majesties said late Commissioners restored or decreed to any person or persons by virtue of, and pursuant to any particular Clause or proviso in the said Act contained for so much of the said Lands, Tenements and Hereditaments as in their respective clauses or Provisoes is mentioned, contained or comprehended, and excepting any Judgement or Decree, which hath been obtained by any Protestant or protestants in the late Court for Adjudication of Claims, or in the Court of Exchequer, or any the four Courts sitting at *Dublin*, before the the 22th. day of *August* 1663. shall not at all times hereafter in the four Courts sitting at *Dublin*, and in all Courts of Justice, and in all tryals, Actions and Suits, both in law and Equity, as well between His Majestie and any of His Subjects, as between party and party, without any further proof, be always taken, deemed, construed and adjudged to have been seized, sequestred, allotted, assigned, given, granted, ordered, distributed demised, set off, set apart, possessed, reserved, granted in *Custodiam*, leased and disposed by reason of, and upon account of the late horrid Rebellion or war, which began or broke out in this Kingdom upon the 23^d. day of *October*, 1641, and to have been, and to be by the aforesaid several Acts, as from the said 23^d. day of *October* 1641. forfeited to his Majesties Royal Father of ever Blessed memory, and to His Majestie that now is, His Heirs and successors, and well and firmly by the said several Acts vested in his Majestie, His Heirs and successors, without any Office or Inquisition thereof found, or to be found, to the intents, uses and purposes in and by the said several Acts limited, declared and appointed.

Secondly, Whether after the Commissioners appointed or to be appointed by His Majestie for executing the said several Acts, shall have adjudged any of the said Lands, Tenements or Hereditaments, rights, titles or Interests by the said Acts declared to be forfeited and vested in his Majestie, unto any person or persons who by the said Acts are intituled thereunto, and shall have granted their certificate accordingly, and Letters Patents shall be thereupon passed, as by the said Acts is directed and appointed, the Rights, titles and Interests of all persons whatsoever, who have not by the said late Commissioners for executing the said Act, intituled, *An Act for the better execution of His Majesties Gracious Declaration for the settlement of his Kingdom of Ireland, and satisfaction of the several interests of Adventurers, Souldiers and, other His Subjects there*, been already adjudged innocent, as well such as are or were Protestants, as papists, are or shall be thereby concluded, barred, and determined other than such Rights, titles and Interests which shall be in the said Letters Patents particularly mentioned and reserved, and other than such rights, titles and interests as are the proper Act of the party to whom such Letters Patents shall be so granted, or of those under whom he claims as heir, executor, or administrator, and other than such Debts, leases and payments whereunto the same are by the said Acts made lyable, and whether the said Lands, Tenements and Hereditaments, Rights, titles and interests in the said Letters Patents mentioned and contained, are or shall be by the said Acts confirmed to the several persons therein named, according to such several and respective Estates as shall be therein limited and appointed, against the Kings Majestie, His Heirs and Successors, and all persons claiming by, from, or under him or them, and against all other persons, Bodies Politick and Corporate whatsoever,

Thirdly, Whether all Adventurers and Souldiers, their Heirs and Assigns, shall have, hold and enjoy an Estate of Inheritance in Fee simple in such of the said Lands, Tenements, and Hereditaments by the said Acts declared to be forfeited to, and vested in His Majestie, as shall by the Commissioners appointed, or to be appointed for executing the said Acts be certified to belong and be due unto them, unless some other and lesser Estate shall by the Certificate of the said Commissioners be expressly and distinctly limited and appointed and in case any such other or lesser Estate shall be so limited or appointed in such certificate, then whether such Adventurer and Souldier to whom such certificate for such lesser Estate shall be so granted, shall have such Compensation and allowance out of other forfeited Lands, as shall make up his two third parts by the said Acts intended to him, equal in worth and value to others who shall have Estates of inheritance in Fee-simple certified and granted unto them.

And we the said Commissioners, do humbly pray your Grace and the Council, To take the premisses into your consideration, and to give therein such Judgement, Order, Explanation, and direction as you shall think meet, that we may be the better enabled to proceed in the execution of the said Acts, and in the carrying on the intended final settlement of Adventurers and Souldiers, and other His Majesties Subjects in this Kingdom.

Dated at the Kings Inns *Dublin*, the Thirteenth day of *February* 1665.

Edw. Smith. Edward Dering. A. Brodrick. W. Churchill, Edward Co. k.

Whe Lord Lieutenant and Council, having duly considered of the said Doubts, in the said Writing contained, do by this our Act of Council, for the better and more easie execution of the said Act, intituled, *An Act for the better execution of his Majesties gracious declaration for the settlement of His Kingdom of Ireland, and satisfaction of the severall interests of Adventurers, souldiers, and other His Subjects there, and for making some alterations of, and additions unto the said Act, and for promoting the ends thereof, Order and Declare.*

That all honors, manors, castles, houses, places, lands, tenements and hereditaments, right, title, service, chiefry, use, trust, condition, fee, rent-charge, chat-tels real, mortgage, right of redemption of any mortgages, recognizances, judgments, forfeitures, except right of action, right of entry, statute, or any other estate of what nature or kinde soever, in all and every the counties, baronies, cities, towns corporate, and walled towns within this Kingdom, which did on the 23d. of October 1641. or at any time since, belong to any Irish Papist, Popish Reculant, or Roman Catholick, or which have been returned by the Civil Survey, or Down Survey, or either of them, as belonging to any Irish Papist, Popish reculant, or Roman catholick, and which at any time from and after the said 23d. day of October 1641. were seized or sequestred into the hands, or to the use of His late Majesty King Charles the first, or of His most gracious Majesty that now is, or which were allotted, assigned, given, granted, ordered, distributed, disposed, demised, set out, or set apart to or for any person or persons, use or uses, for adventures, arrears, reprisals, or otherwise, or whereof His late Majesty, or His Majesty that now is, or any adventurer, souldier, reprisable person or others, respectively had and received the rents, issues and profits, or whereof the adventurers, officers or souldiers, now or formerly of the English Army in this kingdom, or transplanted, or transplantable persons, or any of them, or their or any of their heir, heirs, or assigns, were in seisin, possession or occupation by themselves, their tenants, agents, or assigns, on the 7. day of May 1659, or which were assigned, given, granted, laid out, set apart or reserved for or towards the satisfaction of any the said adventurers, souldiers, or other persons, for or in consideration of any money or provisions advanced, lent or furnished, or for arrears of pay, or in compensation of any service, or reputed services, or other accompt whatsoever, or reserved, or mentioned to be reserved for, or in order to a reprisal or reprisals, for such incumbrances as then were, now are, or shall be adjudged due to any person or persons out of the said lands, tenements or hereditaments, or for any other use, intent or purpose whatsoever, or whereof any custodiam, lease for yeare or years, or other disposition or grant whatsoever hath been made, excepting such lands, tenements and hereditaments, rights, titles and interests, as did on the said 23th day of October 1641, rightfully belong unto such persons, as by His Majesties late Commissioners for executing the said Act, intituled, *An Act for the better execution of his Majesties Gracious Declaration for the settlement of his Kingdom of Ireland, and satisfaction of the severall interests of Adventurers, Souldiers, and other His Subjects there,* have been already adjudged innocent, and excepting such lands, tenements and hereditaments, rights, titles and interests as have been by His Majesties said late Commissioners restored or decreed to any person or persons by virtue of, and pursuant to any particular clause or proviso in the said Act contained, for so much of the said lands, tenements & hereditaments, as in their said respective clauses or provisos is mentioned, contained or comprehended, and excepting any judgement or decree which hath been obtained by any protestant or protestants in the late court, or pretended court for adjudication of claims, or in the court of Archequer, or any the four courts sitting at Dublin, before the 22th day of August 1663 shall at all times hereafter in the four courts sitting at Dublin, & in all courts of justice, & in all tryals, actions and suits, both in law and equity, as well between His Majesty and any of His subjects, as between party and party, without any further proof, be always taken, deemed, construed and adjudged to have been seized, sequestred, allotted, as
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signed, given, granted, ordered, distributed, demised, set out, set apart, possessed, received, granted in custodiam leased and disposed by reason of, and upon accomplishment of the late horrid Rebellion or War, which began or broke out in this Kingdom upon the 23d. day of October, 1641, & to have been, and to be by the aforesaid several Acts, as from the said 23th day of October 1641, forfeited to His Majesty's Royal Father of ever blessed memory, and to His Majesty that now is, His Heirs and Successors, and well and firmly by the said several Acts vested in His Majesty, His Heirs and Successors, without any office or inquisition thereof found, or to be found, to the intents, uses and purposes in and by the said several Acts limited, declared and appointed.

And We do hereby further order and declare, that after the Commissioners appointed, or to be appointed by His Majesty for executing the said several Acts, shall have adjudged any of the said lands, tenements or hereditaments, rights, titles or interests by the said Acts, or by virtue thereof declared to be forfeited to, and vested in His Majesty, unto any person or persons who by the said Acts are intitled thereunto, and shall have granted their certificate accordingly, and letters patents shall be thereupon passed, as by the said Acts is directed and appointed, the rights, titles and interests of all persons whatsoever, who have not by the said late Commissioners for executing the said Act, intitled, An Act for the better execution of His Majesties gracious Declaration for the settlement of his Kingdom of Ireland, and satisfaction of the several interests of adventurers, Souldiers, and other his Subjects there been already adjudged innocent, as well such as are or were protestants as papists, are and shall be thereby concluded, barred and determined, other than such rights, titles & interests which shall be in the said letters patents particularly mentioned and reserved, and other than such rights, titles and interests as are the proper Act of the party to whom such letters patents shall be so granted, or of those under whom he claims as heir, executor or administrator, and other than such debts, leases and payments whereunto the same are by the said Acts made liable, and that the said lands, tenements and hereditaments, rights, titles and interests in the said letters patents mentioned and contained, are and shall be by the said Acts confirmed to the several persons therein named, according to such several and respective estates as shall be therein limited and appointed, against the Kings Majesty, His Heirs and Successors, and all persons claiming by, from or under him or them, and against all other persons, bodies politick and corporate whatsoever.

And We do hereby further order and declare, that all adventurers and souldiers, their heirs and assigns, shall have, hold and enjoy an estate of inheritance in fee-simple in such of the said, lands, tenements and hereditaments by the said Acts, or by virtue thereof, declared to be forfeited to, and vested in His Majesty, as shall by the Commissioners appointed, or to be appointed for executing the said Acts, be certified to belong & be due unto them, unless some other & lesser estate shall by the certificates of the said Commissioners be expressly & distinctly limited & appointed, and in case any such other or lesser estate shall be so limited or appointed in such certificate, that then such adventurer and souldier to whom such certificate for such lesser estate shall be so granted, shall have such compensation and allowance out of other forfeited lands, as shall make up his two third parts by the said Acts intended to him, equal in worth and value to others who shall have estates of inheritance in fee-simple certified and granted unto them. And it is ordered, That this Act of Council be introlled in the High Court of Chancery, as by the said Explanatory Act is directed.

Given at the Council Chamber in Dublin the 9th. day of April, 1666.

G O D S A V E T H E K I N G .

*Ja. Armachanus. Mich. Dublin. Canc. Anglesey. Kingston. R. Coot.
Hen. Tichborn. Rob. Byron. Paul Dawys. Robert Forth.
Rob. Meredith. Theo. Jones.*

R. & H. W. B.

